



**National School
Boards Association**

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LEADERSHIP Insider

PRACTICAL PERSPECTIVES ON SCHOOL LAW & POLICY

A Membership Benefit of NSBA National Affiliates

High-Performance School Facilities

Making the 'BEST' of the learning environment

Each entrance to the U.S. Department of Education building in Washington, D.C., currently is adorned with a little red schoolhouse structure symbolizing the promise of the No Child Left Behind Act. But for all too many communities, a more apt metaphor for school facilities in the 21st century might be a trailer. For too many others, it might be one of those once grand houses long since fallen on hard times.

While school construction projects have continued impressively in a slow economy, much of the activity is concentrated in school districts in booming communities. Moreover, studies in the past decade by the federal government and other organizations have estimated that bringing the nation's long-neglected school facilities up to par will cost hundreds of billions of dollars, a backlog so severe that even rapidly increasing expenditures may not close the gap.

Other difficulties are familiar to school boards. Public revenues are down, even as schools strive to meet higher academic expectations and costly mandates. Development decisions sometimes are made without fully accounting for their impact on schools, and new schools often are sited where most affordable, regardless of

their impact on community planning. Compelling research showing that smaller schools are more effective must be ignored for economy of scale. Property tax-based school finance systems have reached their limit, and anti-tax sentiment restricts alternatives.

Demographic trends may portend even harder times ahead: A higher proportion of voters will be on fixed incomes and have no school-aged children. The public sometimes mistrusts school boards to spend construction dollars wisely, and many school boards lack expertise in overseeing costly construction projects.

Meanwhile, a coalition of national and local organizations recently launched an initiative called Building Educational Success Together (BEST), which calls our attention to the great dilemma in all this: Students and teachers are being asked to achieve like never before, but their success will depend in part on whether they teach and learn in "high performance" school facilities—schools that are healthy, clean, well maintained, efficient, community centered, and cost effective.

To strive toward this, BEST sets forth a policy agenda of four broad objectives:

1. Comprehensive municipal and school facility planning and broad public involvement in facilities decisions;
2. Schools that are centers of community life;
3. Effective management and oversight

of facilities planning, design, construction, and maintenance; and

4. Adequate funding for maintenance and capital improvement.

About this issue

With the help of our guest authors, this double issue of *Leadership Insider* offers school districts some useful tools and success stories as to each of these four objectives.

Objective 1: Former Oklahoma City school board member Ronald Bogle was instrumental in what he calls "the most ambitious community involvement process in the history of the city." A diverse groups of civic, business, and community leaders organized nearly 60 community meetings involving over 3,000 citizens and successfully built support for increasing revenues in order to renovate or reconstruct every school in the city.

Objective 2: Adrian Scott Fine of the National Trust for Historic Preservation makes a strong case that a school board should conduct a feasibility study to consider carefully whether it really makes sense to replace a historic school building that has served as the anchor for a town or neighborhood with a new facility, typically in a more remote site. The Michigan Land Use Institute showcases one district that asked the hard questions and discovered that it was cost effective to save and renovate a 70-year-old school.

Objective 3: Responding to public

See *High-Performance* on page 11

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About NSBA

The National School Boards Association is the nationwide advocacy organization for public school governance. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. Founded in 1940, NSBA is a not-for-profit federation of state associations of school boards across the United States and the school boards of the District of Columbia, Hawai'i, and the U.S. Virgin Islands.

About the National Affiliate Program

The National Affiliate Program extends NSBA's services directly to local school districts. School districts are eligible to join provided they are members in good standing of their state school boards association.

About the National Education Policy Network

The National Education Policy Network (NEPN) helps foster better communication, understanding and management of local school districts through better policy-making. It offers access to a sample policy clearinghouse and current policy-related resources, as well as publications and tools to help districts keep their policy manuals well-organized and up-to-date.

About the Council of School Attorneys

The Council of School Attorneys provides information and practical assistance to attorneys who represent public school districts. It offers legal education, specialized publications, and a forum for exchange of information, and it supports the legal advocacy efforts of the National School Boards Association.

A Matter of Trust

A model for financing school construction and renovation that really works

By Ronald E. Bogle

"The name of this Trust shall be the Oklahoma City Metropolitan Area Public Schools Trust hereinafter referred to as Trust."

With these rather unremarkable words in a legal document, one of the most remarkable experiments in the financing of public school construction and renovation was officially launched in Oklahoma City in 2001. Three years later, the experiment is working, and all of us who are concerned about the crisis facing America's school facilities should be heartened not only by the beauty and simplicity of the idea, but by the determination, perseverance, and goodwill that has breathed life into the idea and made it work.

A major element of the experiment was built on a very strong foundation called MAPS (Metropolitan Area Projects), Oklahoma City's visionary capital improvement program for new and upgraded public facilities. It is believed that Oklahoma City was the first city in the country to undertake such a vast public facility enhancement project. The effort led to a new ballpark, a renovated convention center, a facelift for the state fairgrounds, the Bricktown Canal, a new library/learning center, new trolleys, a near-rebuilding of the Civic Center Music Hall, improvements to the North Canadian River, and construction of the Ford Center.

All of these capital projects were funded by a temporary one-cent sales tax approved by city voters in December 1993. Before the tax expired on July 1, 1999, more than \$309 million was collected and \$54 million in interest was earned, adding to the total dollars available for the capital projects. After voters approved the tax, the mayor appointed a mandated 21-member citizen oversight board to review projects, including issues related to financing, and to make recommendations to the City Council. The MAPS board led the public review process for the Master Plan, which the council approved on Feb. 14, 1995.

Building a Learning City

On a parallel track, the community of

Oklahoma City was coming together in an unprecedented spirit of cooperation to respond to a growing crisis in its public schools. In the 1960s, the school district had been thriving—17 new schools were built in that decade alone, and many of them were popular community gathering places with parents flocking to open houses and PTA meetings.

In 1972, however, all that began to change. The district responded to court-ordered desegregation by busing students across town and away from their neighborhood schools and their homes. In the first year of busing, 8,000 students and their families fled the district. The so-called "white flight" doubled and sometimes even tripled enrollment in surrounding suburban districts and prompted the founding of new private schools.

To the chagrin of parents and other community members, the exodus forced the district to lay off teachers and close schools. While city school buildings got older and crumbled from neglect, suburban districts were thriving. Oklahoma City proposed no bond issues in the 1970s, and built no schools.

In 1981, the district put a moratorium on school closings and asked for a \$32.6 million bond issue to pay for three new schools and renovations at nearly all of the district's other buildings, but voters rejected the proposal. The moratorium was lifted, and eight more schools were closed.

From 1980 to the early 1990s, Oklahoma City attempted to pass 10 additional bond issues, but voters approved only four. Meanwhile, school facilities were only getting worse. Many schools still had original wiring and plumbing installed 50 years earlier. Students at several schools had to attend classes at nearby churches while crews fixed dangerous structural problems. Air conditioning wasn't installed in most schools until after 1993, when voters finally approved an \$89 million bond issue.

It was in this environment of educational need and loss of confidence that Project KIDS—Keep Improving District Schools—was formed as a collaboration among the city of Oklahoma City, the Oklahoma City Public Schools, and the

Oklahoma City Public Schools Foundation. Organized by a highly diverse group of civic, business, and community leaders, Project KIDS and its Community Inclusion Initiative implemented the most ambitious community involvement process in the history of the city.

Over the course of an entire year, the project organized close to 60 community meetings involving more than 3,000 residents from every walk of life in Oklahoma City. The result was a tremendous amount of information and numerous opinions and ideas, all of which were used to create a series of recommendations. They included overhauling the district's management, establishing proven and measurable learning methods and objectives for student achievement, raising \$512 million in sales taxes and \$180 million in school bonds, and finally, renovating or reconstructing every school in the city, readying them for state-of-the-art technology, and purchasing transportation equipment.

The funds raised would primarily benefit the Oklahoma City Public Schools, but 30 percent of the proceeds from the sales tax would also benefit the other 23 suburban school districts in the city's limits through a grant program.

The financing for the recommendations would come from new bond issues and another one-cent sales tax—not a hard sell to citizens now that they were seeing the results of the original MAPS program.

"Having the MAPS success and even the nomenclature was extremely helpful," says Cliff Hudson, Chairman of the Oklahoma City Board of Education. "When you said 'MAPS for Kids,' it had an extremely positive association and people immediately understood what it was."

The Formation of the Trust

Project KIDS identified two areas of need. The first was to improve the quality of education, which was to be accomplished by the school board and the school district. The second was the renovation and construction of school facilities, which was to be accomplished by the city. Since the City Council obviously was busy with the overall management of the city, a city trust was needed to administer the construction of new and improved facilities, purchase transportation equipment, acquire technology to be implemented throughout the schools, and be responsible for long-term capital maintenance.

Enter the Oklahoma City Metropolitan Area Public Schools Trust.

"Oklahoma City uses trusts in many different ways," says Bill Bleakley, former attorney for the city's schools and an active participant in Project KIDS and now publisher of the *Oklahoma Gazette*. "It's a common vehicle for administering public purposes, so we weren't reinventing the wheel. The trust served a variety of purposes. First, the city had to raise a great amount of revenue to be used for the benefit of the school district, and therefore it was interested in a process that would maintain some control over how the money was spent. The trust provided a vehicle that gave those kinds of assurances to the city, but it also provided for the participation of the school district."

Those assurances were made through

have collected almost \$100 million in taxes, and the school district has sold approximately \$80 million in bonds. There are 72 school projects slated, with 18 designed, and three already under construction."

In addition, Hudson says, all of the city's schools are benefiting from immediate upgrades to their fire alarm and security systems.

What human qualities helped make MAPS for Kids work? "It was a matter of trust, really," says Hudson. "When the people of Oklahoma City voted for the sales tax, they put a tremendous amount of faith in the city, in the school board, and the in the entire plan. They saw, as I did, that all of the right forces were aligning



We had to be creative about how the trust could provide oversight and management of these funds without the school district giving up primary control.



the way the trust members were appointed: three by the school board and three by the city, with the co-chairs selected by the mayor and the chair of the school board.

According to Bleakley, the process of creating the trust benefited from a high degree of cooperation between the city and the school district.

"Since the statutory accounting process for school districts is substantially different from the process normally followed by the city," he explains, "that was the area that required the most coordination. It was made even more interesting by the fact that the funds came from a combination of city sales tax revenues and school district bond revenues. So we had to be creative about how the trust could provide oversight and management of these funds without the school district giving up primary control."

The trust was established in August 2001, and the tax was passed in November 2001. "We began receiving the funds in 2002 and will continue to do so through 2009," says Eric Wenger, program director for MAPS for Kids. "So far, we

and that this was a unique opportunity."

Hudson believes that MAPS for Kids and the city's Public Schools Trust is a model ripe for replication in other cities across the country. "Over the last several decades, there has been a decline in inner-city public schools, not just in Oklahoma City, but across the country," he says. "We saw MAPS for Kids as a once-in-a-lifetime opportunity to improve our schools—and we'd be delighted if people in other cities are inspired by what we've done here. It has changed not only the way we think about our public schools, but the way we think about our entire community and given us hope for the future."

Ron Bogle is the president and CEO of the American Architectural Foundation in Washington D.C. Before taking that position in July 2002, he served for 10 years as an elected member and president of the board of education in Oklahoma City. He was cofounder of Project KIDS and cochair of its Community Inclusion Initiative. In 1993, he served as the director of the successful campaign that led to the passage of the MAPS initiative.

Renovate or Build?

A feasibility study is central to the decision

By Adrian Scott Fine

Deciding whether to renovate a historic neighborhood school or build a new one takes preservation know-how, experience, and creativity. As school districts face the challenge of trying to satisfy program requirements and accommodate new technologies and trends in teaching, the historic neighborhood school is not always given full consideration. It is often assumed that a newer school will mean better education, or that historic school buildings have flaws that cannot be fixed. As a result, districts tend to dismiss the idea of renovation without fully considering the facts and long-term implications.

Central to the decision is a feasibility study of the issues involved in renovation. Such a study, which is often conducted by an architectural consultant hired by a school district, is the only tested way to evaluate the fit of an old building to contemporary educational uses.

In its most basic form, a feasibility study helps establish whether renovation of a historic school is possible and practical and whether it can meet the district's educational needs. Not simply a cost-benefit analysis, a feasibility study evaluates technology needs and barriers, start-to-finish scheduling, options and alternatives, and the potential implications for the surrounding neighborhood and community.

Not all feasibility studies are created equal, however. Possible problems include inexperienced architects, inflated and exaggerated cost estimates for renovation, limited or no community input, a bias against historic buildings, hidden costs that are not accounted for, and minimal consideration for the possible impact on the community.

The following checklist can help ensure that a feasibility study for your historic neighborhood school is fair, objective, and reasonable. It can also help you identify questions to ask if you do not accept the study's recommendations and projected cost estimates.

Consultants

More often than not, school districts hire architects and professionals who know a lot more about designing new buildings than renovating older ones. Not all architects have training, experience, or



Dedicated in 1912, the Lewis & Clark High School in Spokane, Wash., was renovated and expanded, preserving the building's architectural grandeur while modernizing the facility for some 3 percent less than new construction would have cost.

an interest in historic rehabilitation, and many are unfamiliar with, or biased against, renovation options.

Here are some questions to ask:

- Does the consulting architect have experience with historic preservation or specialize in historic school renovations? If so, can you review previous work? If not, has the architect consulted with historic preservation specialists?

- Are there any inherent conflicts of interest? Is the consultant the likely architect for the new or rehabilitated school? Does the consultant have an interest in new construction?

- Can the architect be unbiased, fair, and objective?

- How was the architect selected? Was it an open-bid process or a request for proposals (RFP), or was the architect preselected?

- Is there any funding assistance from the state and, if so, is there a review or approval process prior to selection of the architect?

Hidden Costs

In addition to the known costs for

designing and constructing a new school, there may be hidden costs that don't enter into discussions. What are the real costs of building on a new site? Often these figures are inadvertently or purposely omitted from the final cost estimate.

If the new school will be built on an undeveloped site, there will be added costs to purchase and develop the land and to build roads, sewers, and other infrastructure. Are these figures included in the study?

What will it cost to bus students to the new site? Will more children be transported than is currently the case? If so, what are the added costs?

Renovating an existing building generally saves 20 to 25 percent of the cost of new construction, as the building shell is retained. Do cost estimates reflect this savings?

If the historic school is scheduled to be abandoned, are costs to stabilize, maintain, secure, and dispose of the building included? If it is planned for demolition, there will be costs to demolish it, abate hazardous materials, and dispose of debris (often 4 to 5 percent of the overall

replacement costs). Were these costs included in the final estimates?

What are the indirect costs to the community? How will a vacant, boarded-up school affect the surrounding neighborhood? How will it influence marketability, stability, and property values?

If a mega-school is proposed in a remote area, what are the costs of the sprawl that usually follows, such as transportation and infrastructure?

Do cost estimates for a building contingency (cushion) accurately reflect unknown or anticipated cost overruns for both rehabilitation and new construction?

Building Codes

Most existing and recently built school buildings will not comply with every state and local code. Despite the flexibility of many codes and the potential for waivers, studies often interpret these codes rigidly, declaring a building unsafe or cost prohibitive to retrofit.

Did the feasibility study investigate and address compliance options or alternate codes for historic buildings, such as early warning systems?

If a seismic retrofit is proposed in the study, was an engineer familiar with historic buildings consulted?

Can a new addition to a historic school building preclude the need for demolition by meeting program objectives and satisfy-

ing modern code requirements?

Have important character-defining and historic elements of the school been adversely affected to satisfy code requirements? If so, were alternatives considered?

Public Participation

Decisions involved in feasibility study do not always include public input. More often than not, citizens are excluded entirely and feel powerless. A study conducted behind closed doors does not consider all viewpoints or build trust and support from within the community.

Were there public meetings asking what the community wanted? Did the meetings allow for community input? Were they inclusive, or dominated by corporations, developers, construction company owners, architects, or others in favor of building a new school?

Was a citizens advisory committee formed to help explore the options?

Did the feasibility study consider the community's use of the school for after-school programs or public meeting space?

Did the study consider a community's local planning program, zoning, comprehensive or master plan?

Did it consider any review or approval process at the state or federal levels?

Were site visits made to other successfully rehabilitated historic schools? If so, did the site visits involve a representative

group of local citizens?

Who reviews the feasibility study results, and what are the reviewers' qualifications? Is anyone with an expertise or interest in historic preservation involved in the decision?

Historic Significance

Designating a school as a historic building will often trigger environmental review requirements that help ensure alternatives to demolition are adequately considered. In addition, it could make the project eligible for alternative building code requirements and additional funding sources.

What is the school's significance? Was this accurately reflected within the study?

What is the cultural significance within the community?

Does the study consider the implications of any local, state, or national designation, including any mandatory review process?

Has a districtwide survey been done to assess the most important schools in the community? If so, was this information considered in the study?

Funding Considerations

A feasibility study may add or omit certain expenses in order to skew the analysis in favor of new construction. For example, the estimate for a new school might leave out demolition or site development costs.

ANATOMY OF A FEASIBILITY STUDY

Commonly, a feasibility study follows these steps:

1. Document existing conditions of building and site against proposed use and programming needs. Document:
 - Structural systems (including seismic, where applicable)
 - Building envelope (windows, roof, gutters)
 - Compliance with building codes
 - Plans and site (ADA accessibility/compliance, parking, transportation)
 - Materials and finishes
 - Health and life safety (fire systems, lighting, alarm, egress, sprinklers)
 - Hazardous materials (asbestos, lead paint, contaminated soil).
 - HVAC, mechanical, electrical, plumbing
2. Identify site-specific education specifications, including:
 - Square-foot analysis for each com-

ponent of the school

- Size and configuration of all classrooms and support areas (office, conference room)
 - Capacity and acoustics of gymnasium, auditorium, and cafeteria.
3. Identify technology specifications, such as TV, intercoms, telephone, internet access, and network cabling.
 4. Identify security specifications, such as surveillance cameras and points of access.
 5. Identify community needs and interest, including community outreach, public input, and the role of the school in the adjacent community.
 6. Evaluate the school's historic significance and importance to the community, considering eligibility criteria for local, state, or national historic designation, physical integrity, and period of historic significance.
 7. Prepare physical feasibility draw-

ings, including schematic or existing floor plans and facade renderings.

8. Present a full range of alternatives, with pros and cons of each.

Options include:

- Renovation with or without additions
 - Replacement onsite with demolition
 - New construction on new site with abandonment
 - Adaptive use.
9. Define a schedule for construction. Include any phasing of the work and any need to house students elsewhere temporarily.
 10. Present cost estimates and economic analysis, broken down by each option (including initial cost, present value, operating cost, real estate value, and life cycle cost analysis). Include a quantitative rationale for any recommendations.—A.S.F.

An accurate and comprehensive cost comparison between renovation and new construction will help level the playing field.

Does the funding source tie the feasibility study to any reviews or requirements?

Does the study accurately consider life-cycle costs and forecast future costs for both new construction and rehabilitation? Building components deteriorate at different rates, and costs fluctuate year by year. A life-cycle analysis that uses a fixed rate of deterioration will lead to inaccurate results. What is the life expectancy of the new school?

Are funding opportunities, such as matching-grants, associated with historic designation taken into consideration in the final cost estimate?

Does the locality or state have arbitrary formulas mandating new construction as a certain threshold of spending? If so, is this indicated within the study?

Site Plan and Building

Abandoning historic schools is often justified in terms of their incompatibility with modern educational specifications, such as minimum acreage and classroom size standards.

More often than not, these specifications are merely guidelines that can be accommodated by adopting creative solutions, though school officials are often under the impression that “standards” or “recommendations” are hard and fast “requirements.”

Are proposed expansive playing fields, facilities, and arbitrary athletic guidelines influencing the decision to build new? Are these requirements or preferences?

Does the study consider creative partnerships with city park agencies, nearby churches, public transit agencies, and other institutions to share playing fields, parking spaces, or transportation services?

How will land for a new school be acquired? If it is donated by a developer, what are the implications? Have the pros and cons and overall suitability of the site for use as a school been considered in the study?

Does the study consider local or state variances, such as for expansive parking lots or acreage standards?

Does the study account for the relocation of walls or use of hallway square footage to enlarge classrooms?

Have spaces been considered for new uses, such as using a former library for a media center?

Do you have first-hand information? Or is the information second-hand and therefore potentially misunderstood or misrepresented?

Scheduling

Timing is another critical factor when considering any option. Can work be accomplished during the summer months or phased over several years? Can students be housed in temporary quarters? These decisions often influence the viability of rehabilitating an historic school.

Does the study outline logistics and potential for disruption to students for both rehabilitation and new construction?

What is the total timetable proposed for all options, from start to finish?

Does the study consider creative alternatives, such as phasing work?

Rating Building Conditions

Evaluating the condition of a building can be subjective, and historic schools are often ranked poor without any objective and quantifiable indicator of measure. An objective rating system and criteria that allow for comparisons between the subject school and others within the same district are more reliable.

What criteria are used for evaluating building conditions? Do the criteria reflect age, type of construction, apparent condition and design adequacy, life expectancy, feasibility of renovation, and mechanical adequacy?

If school buildings were ranked as excellent, very good, good, fair, poor (or in similar terms), does the study provide definitions for each?

Educational Programming

Standards for school facilities are set by the education agency of each state and vary from state to state. Local school districts also set standards, often favoring new construction. Are these educational specifications influencing the outcome of the feasibility study and driving the decision to abandon the historic school? If so, do any state or federal guidelines mandate the standards, or are they local?

What is required, as opposed to desired? Must an elementary school be only one story, or is that a local preference?

What is the current and projected enrollment for a school? Is overcrowding an issue, and will a new school solve this problem?

Can the historic school accommodate the needed educational programs? If not,

does the study outline why not and what sorts of spaces are needed?

Components of the Study

Before undertaking a feasibility study, a key step is to determine the scope of the study. Each historic school and community is unique, and there is no “one size fits all” approach. Instead, on a case-by-case basis, design the feasibility study to reflect your particular needs.

A feasibility study generally has three parts:

1. Programmatic fit by schematic analysis.

Using the same architectural program developed for a new school, a design professional explores ways the existing building can be modified to meet the educational needs of the curriculum. The work product is typically a schematic diagram of spaces and rooms overlaid on the current floor plan of the school, showing the extent of change necessary. Additions that do not fit within existing space are also shown.

2. Technical conditions assessment.

An architect and engineering team conducts a system-by-system analysis of the age, nature, and condition of each component of the existing school (and each episode of construction of that school) to identify systems with sufficient remaining useful life to warrant retention and continued use. The team then recommends which systems will require replacement in whole or in part and which type of system is most appropriate to projected use.

3. Synthesis and comparative cost estimates.

Based on the above two analyses, the design team then prepares an estimate of the cost of renovation and compares that to the cost of new construction, using preestablished or published sources. Care must be taken in this cost summary to include even the hidden costs of both options.

Historic schools have touched the lives of millions of Americans, yet many of these schools are abandoned in favor of new facilities even when they could be remade into handsome and productive places for learning. If your district is faced with the decision of renovating a neighborhood landmark or building a new school, a carefully conducted feasibility study can help you arrive at a wise decision.

As Director for the Northeast Field Office of the National Trust for Historic Preservation, Adrian Scott Fine coordinates the National Trust programs and advocacy efforts of the office in Philadelphia, serving the states of Delaware, New Jersey, and Pennsylvania.

More For Your Money

An independent assessment leads to a wise decision

In 1998 the Escanaba, Mich., school board asked an important question: Should this Upper Peninsula town invest its tax dollars in renovating its aging, 70-year-old junior high school at the center of town or build a brand new one on the outskirts?

To find the correct answer, the school board sent out requests for proposals for renovation feasibility studies to dozens of architectural and construction firms. Twenty-four firms responded. But most asserted an odd proviso—as long as the board guaranteed that their company would receive the design contract, the company would provide the evaluation for free. And when the district superintendent, Tom Smith, replied that the district would prefer to pay for the study, two-thirds of the firms walked away.

As it turns out, not only is this scenario actually quite common, it's a key reason why so many school boards decide to build new facilities rather than renovate old ones. The truth is, schools that use free evaluations too often only get what they pay for.

Indeed, Escanaba's experience raises serious questions about the no-cost evaluations that so many communities use to help them decide what to do with older buildings. Since the companies are covering their own expenses for their evaluation, it's difficult for them to spend a lot of time evaluating an old building's structural, mechanical, electrical, and environmental issues. And when it's time to estimate renovation costs, it behooves these same companies to present worst-case scenarios that protect them if they actually do land a restoration job instead of the much more predictable construction project.

The result, some school officials say, is that consulting companies provide inordinately high estimates for renovation; districts then decide it is better to simply build a new facility.

A Closer Look Favors Renovation

Fortunately for Escanaba, Smith decided to pay for the evaluation and hired the Kalamazoo-based Diekema-Hamann Architects, which, the superintendent said, submitted one of the most thorough proposals for building analysis the board

received. To the board's surprise, the firm concluded that renovating the old school would cost about the same as building a new one—approximately \$7 million.

At this point, the school board was leaning toward building a new school, figuring that would be the wiser investment. Most consultants would stop right there and recommend a new school.

But as word of the school board's intent to build instead of renovate made its way around Escanaba, it prompted a strong, quite different reaction from homeowners who lived by the old school.

"We couldn't see losing the middle school to a new school," said Gilbert Cheeves, an engineer who owns the Marina Company in town, lives near the school, and helped lead the renovation campaign. "It's a magnificent building."

Cheeves and his colleagues collected 1,600 petition signatures favoring renovation and presented them to the school board in 2000. Smith and the school board responded by agreeing to Cheeves' request for eight public meetings on the question.

Cheeves became very involved in the process, repeatedly asking participants, "What is important to you, and what can you compromise on?"

Pro-renovation citizens rallied around an unexpected piece of information provided by Norm Hamann, Diekema-Hamann's prime architect for the evaluation. He pointed out that, even if renovating cost the same as building new, renovation provided a much better value.

"We thought it was useful to answer the question of how much it would cost to duplicate the current junior high school, not just build a new one," Hamann said. He explained at community meetings that the old school had assets that just couldn't be replicated in a new facility. The old school, in fact, boasted a 750-seat auditorium rivaling any theatre in Michigan, plus rock-solid construction and classic 1930s brick and masonry architectural treatments.

That's why, he said, "when we concluded our analysis, [we found] that it would cost \$12 million to build the same school—the renovated school would be worth \$5 million more than a new school built outside of town."

The school board's scientific survey of the community's views on renovation and new construction found an even split. Basing their choice on gut instinct and a heightened awareness of the community's feelings, the superintendent recommended and the board approved a bond proposal for renovating the existing school. It passed by a resounding 24 percentage points.

Converts to the Cause

The project had its skeptics.

"I just couldn't see how this dark, musty building could be anything else," said Bob Koski, the junior high school principal who had lived with the old building for 11 years and survived the mess, racket, and inconvenience of renovation.

According to Hamann, Principal Koski had his arms crossed throughout their first conversation and insisted that he'd rather have a new school. But, according to the architect, Koski has now become a firm believer in renovation.

"After the possibilities became apparent, he has been the best client we've ever worked with, involved and supportive every step of the way," Hamann said of the principal.

Superintendent Smith said the process also taught him something: A school district must spend the money to look very carefully at the facts, rather than use a quick, "free" process when evaluating an old building. The more thorough the investigation, he said, the more likely it is that renovation makes more sense than building new.

Smith is backed up by something that is hard to argue with—the newly renovated Escanaba Junior High School. It opened in fall 2003 and is now a spectacular building with a new classroom wing and gymnasium and a wonderfully remodeled main wing with a new media center, music room, and shop. By fighting sprawl and saving taxpayer dollars, the revived school brightens downtown Escanaba's future.

Excerpted and reprinted with permission from Hard Lessons, a special report on school construction from the Michigan Land Use Institute, Beulah, Mich.

The Citizen Oversight Committee

Ensuring effectiveness in facilities planning

By Mary Filardo

Large-scale construction projects can be a challenge for school districts.

The school board is usually responsible for overseeing the management of these costly projects. That is a burdensome responsibility at any time, but especially now, given the increasingly demanding nature of the school system's primary focus: meeting students' academic needs.

Moreover, most board members and school administrators do not have professional skills in the area of capital project management. Lack of experience and lack of time can hamper their ability to oversee the work of the district personnel and private contractors involved with the projects.

Regardless of expertise or time, however, board members and administrators are still responsible for decisions about the district's capital construction program and the quality of the results. If they are to exercise their authority responsibly, internal and external controls must be in place to ensure a cost-effective, timely, equi-

table, and educationally appropriate building program.

One part of an effective control system can be a citizen oversight committee that is commissioned by the school board to assist with monitoring and oversight and to report back to the board. Committee members are usually volunteers who may or may not have expertise in construction management.

Such a committee can be cost-effective and politically advantageous. In addition to supplementing the board's expertise, the committee acts as a means of engaging the public to increase accountability and ensure that taxpayer dollars are used effectively, efficiently, and equitably.

Essential Elements

Many urban school districts have begun using citizen oversight committees to oversee capital improvement expenditures. To find out what practices have made this innovation most effective, the 21st Century School Fund identified 10 such districts from across the country and

interviewed school board members, administrators, financial and program auditors, and members of the citizen oversight committees themselves. We also reviewed the literature on public and private sector oversight and audit committees.

We found five factors that contribute to the success of a committee's work:

1. Leadership. District leaders must demonstrate their strong commitment to the committee's oversight. All the various entities the committee will oversee should be informed and consulted during the committee's formation so everyone understands the committee's role and understands that it is acting with the backing of the school board. The leadership should clearly define and document the committee's scope, listing its responsibilities, the resources available to it, and its authority to access information.

2. Resources. The resources an oversight committee needs will depend on how many other controls over the capital improvement program are already in place. If there are few controls in place, the committee will need the resources to conduct audits to determine what is needed. Regardless, the committee should have access to funds to conduct audits and obtain expert advice on its own discretion. If the committee does not have adequate expertise, hiring a professional related to construction management to inform the committee and verify information is highly recommended.

3. Data-collection systems. All the data the committee will need to accomplish its oversight should be accounted for before the committee is formed. Otherwise, lack of information could severely limit the committee's effectiveness. Systems for collecting information and reporting it monthly should be clarified with all stakeholders and clearly documented.

4. The charter. Along with strong school district leadership, adequate resources, and data-collection systems, the committee's charter will determine its success or failure. The charter contains everything from the scope of the committee's responsibilities to the procedures for running meetings. A thorough charter reduces the ambiguity of roles, authority, and procedures that can plague a committee's work. Both the process for developing the charter and the elements the charter addresses will determine its success. (See the box for key elements.)

How the charter is developed will

KEY ELEMENTS IN THE CHARTER

The charter for a citizen oversight committee should include three key elements:

- **Purpose and scope:** The charter must explicitly and clearly state the specific areas the committee will oversee. The level of detail can be as specific as identifying types of construction and renovation projects or parts of the procurement process to oversee. The scope should also clearly identify the capital project funding streams the committee will oversee. The authority of the committee to approve contracts and policies should be limited to making recommendations prior to their implementation.

- **Access to information and authority:** The charter must state the committee's right to investigate all matters within its scope based on the resources available. The charter should set a minimum length of time—preferably no more than 30 days—within which the school board or administration must respond to

requests for information. A time limit ensures that the committee can get the information it needs to provide timely and informed feedback. The committee should include representatives from the internal and external control entities, the school facilities personnel, and the school board. These people should have the authority to obtain any information the committee may request.

- **Member expertise and capacity:** The expertise on the committee must reflect the scope of the work it is assigned to undertake. At least half of the members should be knowledgeable in finance and construction management and acquisitions. Hiring a consultant or committee staff member who is an expert in either of these areas can reduce the number of committee members who need to have professional skills. Members who do not have expertise should be given training that will help them understand and contribute to the committee's work.—M.F.

determine the level of buy-in from the members of the committee, those who will be overseen, and the public at large. One approach is for the district's facilities office and school board to develop the charter independently before establishing the committee; another is for the oversight committee, once selected, to work collaboratively with the district leadership to develop the charter.

5. Oversight committee logistics. The charter should also provide membership guidelines and procedures for meetings, committee organization, communication. These logistical elements are important because volunteer committee members typically have limited time and energy to expend on oversight. Guidelines that reduce the potential for logistical conflicts or confusion help ensure that the committee can focus on its oversight responsibilities.

A checklist of membership guidelines should include: selection process, number of members, attendance requirements, replacement procedures, terms of service, compensation, conflict-of-interest provisions, and autonomy.

A checklist of meeting and organizational guidelines should include: committee structure, meeting schedule, quorum requirements, meeting procedures, reporting requirements, public involvement, and administrative involvement.

Ensuring Effectiveness

Citizen oversight committees can be a cost-effective means of ensuring that a school capital program is managed efficiently, effectively, and equitably. The recent trend of increased accountability in public schools should include the management of this crucial function.

Giving citizens an opportunity to make sure their tax dollars are used appropriately is an effective way to benefit from private expertise and gain public confidence. Although a district might have to expend some resources in the process, such an investment in improved oversight could save more money than it costs.

Considering the potential public and financial benefits of using citizen oversight committees, school boards should seriously consider this option, and policies supporting the establishment of oversight committees should be a top state legislative priority.

Mary Filardo is executive director of the 21st Century School Fund, a Washington, D.C.-based nonprofit organization dedicated to building the public will and capacity to improve urban public school facilities.

Building on the Installment Plan

Faced with rapid growth, a school district embarks on an ambitious—and controversial—construction plan

By William Herlong

Can we finish building the schools our community needs? Can we focus on the issues that really matter, like teacher quality and bridging the gap? Or are we doomed to build forever, to never reach our goal, to lose whole generations of students to portables and decrepit buildings?

These were some of my thoughts in November 1998, when I was elected to the Greenville, S.C., school board. At the time, our district's facilities needs were staggering, with more than 9,000 of our 61,000 students spending their days in more than 440 "permanent" portables.

Most of our 83 schools were old and falling apart, and the construction to address these problems was projected to cost \$784 million. Practically speaking, our board can borrow only about \$60 million a year for construction, which means it would take at least until 2023 to finish the building plan. By that time, construction costs are projected to escalate to about \$1.5 billion. If the scope and costs of our projects continue to increase at the rates we've experienced over the past 10 years—more than 15 percent a year in some cases—costs could exceed \$2 billion.

Conventional wisdom says it can't be done. But we've found a way that it can.

A New Approach

Through the use of a nonprofit corporation and what bond attorneys refer to as "63-20 bonds," we have discovered a new approach to financing school construction that will enable us to build or renovate 86 schools by April 2006 without a tax increase or any compromises. The school district will still control the design, location, construction, and quality of our schools and have exclusive use of them once they are built.

No qualified architect or contractor will be excluded, and minority participation will increase because of the project's scope and the management company we have hired to oversee the project.

On top of all that, by building the schools in four years and thus avoiding the wicked inflation we've seen in the past, we might save \$100 million or more. Indeed, one projection is that we'll save as much as \$600 million.

This is not snake oil. Pieces of this financing mechanism have been used on a smaller scale by a few charter schools in Florida and by some public school districts in Texas, including Houston. But the key

part of the plan—the "installment purchase" component—has never been used to build schools on this or any other scale.

How We Did It

The "installment purchase" arrangement, when coupled with the nonprofit corporation, safely avoids the 8 percent debt limit set on school districts by the South Carolina Constitution and our state's law against lease purchase arrangements. The constitutional debt limit does not apply because the nonprofit is an independent legal entity. The bond holders that will finance construction of our schools have no right of recourse against the school district if we default on the bonds, even though we would lose the right to use the facilities. As a practical matter, we can't default because we need these schools, and the bond holders know that.

A nonprofit corporation can borrow the entire amount necessary to complete the building plan, and, because the payback is viewed as nearly certain, can negotiate a loan almost as cheaply as the district itself. With the money in hand, the nonprofit can complete our building plan in approximately four years.

The anti-lease purchase law, which was designed to prevent financing mechanisms like certificates of participation, does not apply because our district will not be leasing the schools. Instead, we will purchase the schools from the nonprofit in 25 yearly installments of approximately \$60 million each (roughly the same amount we currently spend each year on construction).

This difference is not just a matter of semantics. Each payment to the nonprofit will actually buy exclusive use of all the schools for that year and a 1/25th undivided and unforfeitable interest in all the schools. Unlike a lease, each installment purchase payment actually buys equity. This might make this approach preferable even for those school districts not barred from lease-purchase arrangements.

When the school board first heard this financing plan, it seemed too good to be true. How could it possibly be legal? How could the numbers possibly work? How could schools be built that fast? Were there enough craftsmen in our area? What would happen to local contractors? Would the school board have to give up control? Would the schools be cheap boxes? Could we do it ourselves? Had anyone else ever done this before? If not, why not? What were our alternatives?

Board members and our consultants spent hundreds of hours focusing on these and other issues. Our construction consultant, Gilbane Building Co., validated the four-year building schedule and the proposed project management plans. Our financial adviser, Diane McNabb of the A.G. Edwards investment bank, validated the financing arrangement and the cash flow numbers. And our bond attorney, Brent Jeffcoat of Parker Poe Adams & Bernstein in Columbia, confirmed the plan was legal and the nonprofit could be structured so that the school board maintained effective control.

Based on this advice, the board voted on Dec. 15, 1999, to begin negotiations with Institutional Resources (InRe), the consortium that conceived and proposed the financing plan. InRe is a joint venture of four companies, one of which (Hanscomb Ltd.) oversaw the nearly flawless construction of the \$450 million BMW plant outside Greenville in 1993.

Subsequently, the South Carolina attorney general's office and our Court of Common Pleas both found the school district's plan legal. Moreover, Moody's Investor Services and Standard & Poor's—two leading bond rating agencies—raised our debt rating *because* the plan resulted in a manageable debt burden while addressing the district's long-term capital needs.

Challenges and Delays

Given all of the positives, one might think that adopting such an ideal plan would be a no-brainer. But that has not been the case, as our district has faced a

challenge from a disappointed bidder, a taxpayer lawsuit, and a board that was divided on the issue. It has taken more than two years for all of the pieces to fall into place.

In August 1999, the district sent out a request for proposals and received seven bids. Four bids proposed to take over the management of our construction program and did not address our financial conundrum. The other three included construction management services and, even more important, also included finance plans that would help build the schools in the shortest time frame. After several months of analysis by the board and our advisers, InRe was selected.

With the lack of any model to follow, it took another eight months to negotiate the contract with InRe. The challenge from the disappointed bidder took five months to resolve, then InRe spent several months physically inspecting all our facilities, reconfirming the budget and construction schedule, and obtaining final approval from the school board. Once that was complete, the district worked for two months to finalize the nonprofit corporation at the center of the plan, and then spent six months fighting the taxpayer's lawsuit.

Despite the lingering delays, a majority of our board was eager to go forward, believing that this might be the solution to our building problems. But three of the 12 board members fought the plan, which further gummed up the process as the majority allowed questions and analyses almost *ad nauseum*. While the public at large was overwhelmingly supportive, the board's dissent also stirred up the hard-core knot of folks who question almost anything the public schools do, as well as some local contractors and others who were worried that the new plan would negatively impact them or their businesses.

The vigorous dissent was healthy, up to a point. Indeed, if the plan could not withstand microscopic scrutiny and the dissenters' search for "gotchas," it should not have been adopted. But ultimately the effect of the unending dissent was, in my opinion, quite detrimental. It might have even contributed to the challenge by the disappointed bidder, who thought his proposal should have been accepted.

Concerned about our own objectivity regarding the challenge, the board called in an independent arbitrator to handle the matter. On Feb. 7, 2001, Judge Alex Sanders, then president of the College of Charleston and an adjunct member of the

faculty at Harvard Law School, overruled the bidder's challenge and allowed us to proceed with InRe.

Further Obstacles

The bidder's challenge was not the only legal obstacle we had to overcome. In August 2001, taxpayer Edward Sloan filed a lawsuit against the board, claiming our plan violated the state's constitutional debt limit and the anti-lease purchase law. At least two of the dissenting board members supported Sloan's lawsuit.

It was time for the administration to take the lead. Bill Harner, our new superintendent, and Robert Morales, our chief financial officer at the time, handled the lawsuit from that point. On Dec. 7, 2001, the court granted summary judgment against Sloan. He appealed, but withdrew his lawsuit after the board agreed to pay his attorney's fees.

Our path was finally clear. And, at last, our nonprofit organization—BEST (Building Equity Sooner for Tomorrow)—sold \$800 million of bonds in March 2002. The sum includes an \$80 million reserve that makes bond insurance unnecessary and saves us an additional \$7 million. The fastest-paced educational construction project in the nation was finally on track.

I am immensely proud of the board majority. The new financing plan and the InRe proposal had so many enemies—from the dissenting trustees to local contractors to the naysayers who could not believe our building program could be completed in four years without a tax increase or a change in state law. The board majority stayed focused and committed for almost three years.

For me, there are many messages in this success, but two stand out. The first is that when a board is open to suggestions and solutions from all corners and won't take "no" for an answer, it might just find an answer that works. The second, and frankly even more inspiring, is that even a diverse, publicly elected board can deal with complex and contentious issues that span elections and take years to resolve.

With courage and commitment, and working together openly and in good faith, it can be done. The impossible is possible, and this project will prove that.

William Herlong is a school board member in Greenville County, S.C., and an attorney with the Nelson, Mullins, Riley & Scarborough law firm. This article is excerpted, with permission, from American School Board Journal, October 2002.

Pay as You Go

Other districts are turning to installment revenue bonds

The “installment purchase” idea has caught on in other South Carolina school districts in addition to Greenville County (see article on page 9). Facing pressing construction needs, especially due to new development and rising enrollment, these districts found residents were unwilling or unable to finance additional construction.

Three districts that turned to this innovative method of funding school construction are the Berkeley County School District, Dorchester School District Two, and the seven school districts of Spartanburg County.

Berkeley County

As reported by the *Charleston Post and Courier*, the Berkeley County School Board voted unanimously in October 2003 to build two new schools and finance other projects by floating “installment revenue bonds.”

“Children can’t help where they live, and they don’t vote,” argued Superintendent Chester Floyd. “Postponing the inevitable has never saved us money.” Even if no additional housing were built, an unlikely scenario, new projects already planned or underway call for about 7,000 new homes to be built in the county in the coming seven years. The school board concluded that current taxpayers would not approve another bond referendum that would raise property taxes, as they had already approved one for \$192 million in 1999 to build three new schools and renovate 14.

So district officials picked up on the installment bond idea from Greenville County and presented it to the board. To work as planned, the proposal requires that property values in the county continue to rise over the next 25 years as the bond debt is retired. The debt service will increase with assessed property values, but taxes will remain constant as long as assessed values rise at least 2 percent annually, a projection district officials maintain is very conservative.

After holding two public hearings on the idea, the board approved the proposal. “We either have to do this or go up on taxes, which no one wants,” said board member Frances Brewer.

As in Greenville, the controversy did not end with the decision. At least one

state legislator criticized the board for allegedly (1) flouting the intent of South Carolina’s law prohibiting lease-purchase financing; (2) incurring a \$5,000 monthly fee to lobby for the proposal; and (3) circumventing the voice of the people by declining to seek another referendum.

In a December 14 response in the *Post and Courier*, board chair Harriet Dangerfield, vice chair Frank Wright, and secretary Kathleen Bounds countered that (1) the proposal was for the same structure that Greenville already had used successfully and that the board was assured is legal; (2) the fees were not for lobbying but for the reasonable costs of expert advice in how to structure the deal to realize significant cost savings for taxpayers; and (3) the elected board represents the people, who were unlikely to approve a tax increase.

Even opponents acknowledged that the need for the facilities is real and urgent, the board members pointed out. Further delay, they argued, would result in a return to “severe overcrowding, acres of trailers—school buildings where teachers can’t teach and students can’t learn.”

Dorchester County

The *Charleston Post and Courier* also

High-Performance

Continued from page 1

demand for more effective school board oversight of construction projects, some states and locales have set up citizens’ oversight committees, comprising both school board members and other members with technical expertise in fields relevant to construction oversight. The 21st Century School Fund’s Executive Director Mary Filardo shares with us the results of a study by her organization that identified the characteristics shared by the more effective of these committees.

Objective 4: William Herlong, a school board member in Greenville, South Carolina, recounts how his board overcame a dilemma facing many school boards in high-growth communities: development patterns, property tax strains, and state law obstructions had combined to ensure that these school districts were perpetually

reports that, unlike in Berkeley County, the Dorchester School District Two adopted the installment purchase plan after only 20 percent of registered voters turned out and narrowly rejected a proposed bond referendum—and after the school board explored a range of alternatives with other elected officials, community stakeholders, and voters.

Among the alternatives considered were (1) impact fees on new housing construction, which South Carolina law currently allows to be assessed only for such projects as roads and parks, (2) year-round schools, which officials said would entail added operational costs that would likely offset most of the savings, and (3) modular buildings, which wear out relatively quickly and require replacing.

In November 2003, the school board unanimously approved the installment bond approach to finance the construction of four new schools.

An editorial in the *Post and Courier* expressed misgivings, characterizing the approach as “legally questionable” and calling for the board to obtain an advisory opinion from the South Carolina Supreme Court before proceeding. A taxpayer association worried that the approach could permeate the state, causing debt to “explode.”

But school district officials felt the approach was in the best interest of its children, given decades of intermittent overcrowding and the need to avoid a tax

behind the financial curve in building facilities to accommodate increasing enrollment. The idea Greenville pioneered has since been adopted, not without controversy, by other South Carolina districts.

We conclude by listing some additional resources related to these articles, as well as other resources that may be of help to your district.

Once again, however, we emphasize that what we have space to show you here is just the tip of the proverbial iceberg. As with past issues of *Insider*, more resources and links are conveniently collected and described on the National Affiliate part of NSBA’s Web page, www.nsb.org/na. For this issue, these additional resources include information on other innovative ideas that can help resourceful school districts to address their facilities challenges—to fulfill BEST’s four policy objectives and realize our aspirations for America’s schoolchildren.

—Thomas Hutton, NSBA Staff Attorney

increase. Superintendent Joe Pye said the board would reconsider its decision if the state legislature were to lift the ban on impact fees. In March, the board voted unanimously to allow the newly formed nonprofit organization to proceed with issuing the bonds.

Spartanburg County

Glenn Stiegman, assistant superintendent of Spartanburg County School District No. 7, reports that the seven school districts in Spartanburg County found a new way to use the installment purchase approach. They joined together to build a new facility for a countywide school that serves profoundly handicapped children from all of the districts. The specialized school had outgrown its leased and inadequate space, but the districts and parents wanted to preserve it.

"The dilemma was that since the school served all seven districts, it was really more of a county operation than any individual district's," writes Stiegman. "Also, no one district wanted to tap its available debt capacity to build a facility when each had its own pressing needs."

Because the school was located in Spartanburg District 7, which acts as the school's fiscal agent, this district took the lead in coming up with a plan to finance the \$12 million new facility. Because of South Carolina's debt ceiling of 8 percent of district property, the district turned to its bond attorney to explore the formation of a private foundation to float installment bonds.

The districts agreed to form the foundation, with the seven Spartanburg district superintendents serving as its board of directors. The bonds were floated, the construction undertaken, and students moved into the new facility in August 2003.

The school's budget, which is separate from those of the constituent districts, provides funds to pay to the education foundation to retire the debt on the bonds and acquire ownership of the facility. The debt service is partially offset by savings in lease costs, although new hires were needed to staff the district's own facility.

This success story has attracted attention from other districts in the state. "While the recognition and excitement are gratifying, the greatest benefit was providing a first rate new facility for the students," Stiegman reports.

—Thomas Hutton

ADDITIONAL RESOURCES

For these and many more resources on school construction and finance, board members and employees of NSBA National Affiliate school districts are encouraged to visit www.nsba.org/na. Read about other innovations, including facility leasing, resource pooling, integrated planning, public/private development, community development authorities, and initiatives for smaller schools.

Resources for Featured Articles

Ronald Bogle:

The Oklahoma City Public Schools Foundation tracks and reports progress on implementing the MAPS for Kids project. www.okckids.com

The 2001 MAPS for Kids report by Project KIDS is available on the Web site of the Oklahoma City Public Schools. www.okcps.org/news/mapsforkids.pdf

William Herlong:

The Greenville County Schools Web site includes a page dedicated to the district's facilities plan. www.greenville.k12.sc.us/district/schools/facplan/index.asp

Charleston Post and Courier coverage of other districts' installment purchase plans is available in the paper's online archives for Oct. 6 and 15, Nov. 20, and Dec. 15, 2003. Free registration required. www.charleston.net

Mary Filardo:

The 21st Century School Fund's Web site features numerous resources on school facilities, including the full report from which Filardo's article is excerpted, a "how to" manual on renewing public school buildings, a report on the effect of building quality on teacher retention, and information on the Building Educational Success Together (BEST) initiative. www.21csf.org

Adrian Scott Fine:

The National Trust for Historic Preservation has launched a Historic Neighborhood Schools Initiative aimed at leveling the playing field for school renovation. The Trust's issues page on historic schools includes reports

expanding on the themes in Fine's article, plus presentations, roadmaps, and presentations on saving historic schools, success stories, and studies of state school facilities policies. www.nationaltrust.org/issues/schools

Michigan Land Use Institute:

The Institute's Web site features additional resources on smart community planning and how "leapfrogging suburbs" can cause problems for public schools. www.mlui.org

Other Resources

The National Clearinghouse for Educational Facilities was created by the U.S. Department of Education and provides information and extensive resources on planning, designing, funding, building, improving, and maintaining schools. www.edfacilities.org/pubs

Learning By Design

This award-winning resource is published each spring by the *American School Board Journal* and showcases exemplary school design projects, with descriptions, photos, data, and contact information for each entry. The *Learning by Design* online Resources page links users to a wealth of regularly updated news and information, practical articles, and Internet sites. www.asbj.com/lbd; www.asbj.com/lbd/2003/resources.html

NSBA's School Law Web site pages include a Property and Facilities category featuring resources, news, and summaries of court cases. www.nsba.org

From the Ground Up: Legal Issues in School Construction

This publication by NSBA's Council of School Attorneys includes chapters on site selection, selecting and contracting with architects, general contractors and construction managers, risk management, bidding issues, environmental concerns, and the design-build method. It can be ordered from NSBA's Online Bookstore. www.nsba.org