



## Certification Page Regular and Emergency Rules

Revised July 2019

Emergency Rules (Complete Sections 1-3 and 5-6)

Regular Rules

<b>1. General Information</b>		
a. Agency/Board Name <b>State Construction Department (027)</b>		
b. Agency/Board Address <b>700 West 21st St.</b>	c. City <b>Cheyenne</b>	d. Zip Code <b>82002</b>
e. Name of Agency Liaison <b>Delbert A. McOmie, Director</b>		f. Agency Liaison Telephone Number <b>cell 307- 421-2767</b>
g. Agency Liaison Email Address <b>delbert.mcomie@wyo.gov</b>		h. Adoption Date <b>11-7-19</b>
i. Program <b>School Facilities Commission (0003)</b>		
<b>2. Legislative Enactment</b> For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.		
a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?		
<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):		
<b>3. Rule Type and Information</b> For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.		
a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. <i>Please use the "Additional Rule Information" form to identify additional rule chapters.</i>		
Chapter Number: <b>1</b>	Chapter Name: <b>GENERAL PROVISIONS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>2</b>	Chapter Name: <b>RULES OF PRACTICE AND PROCEDURE FOR CONTESTED CASE PROCEEDINGS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>3</b>	Chapter Name: <b>UNIFORM ADEQUACY STANDARDS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>4</b>	Chapter Name: <b>FACILITY PLANNING</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>5</b>	Chapter Name: <b>EMERGENCY FUNDING PROCEDURES</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>6</b>	Chapter Name: <b>SQUARE FOOTAGE GUIDELINES FOR MAJOR MAINTENANCE PAYMENTS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>7</b>	Chapter Name: <b>ANNUAL REPORTS AND MAJOR BUILDING AND FACILITY REPAIR AND REPLACEMENT REQUESTS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>8</b>	Chapter Name: <b>CRITERIA FOR IDENTIFYING AND PRIORITIZING REMEDIES, AND ESTABLISHING PROJECT BUDGETS</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: <b>9</b>	Chapter Name: <b>Implementation of Remedies and Project Management</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

\* If the name of a chapter of rules is changing, please only provide the NEW chapter name on this rules certification form.

**4. Public Notice of Intended Rulemaking**

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  No.  Yes.  N/A

b. A public hearing was held on the proposed rules.  No.  Yes. Please complete the boxes below.

Date: November 6, 2019	Time: 8:30 a.m.	City: Jackson	Location: Teton County School District #1 Boardroom.  1235 Gregory Ln. Jackson, WY.
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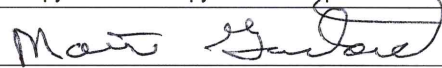
**5. Checklist**

a.  For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b.  For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual	
Printed Name of Signatory	Matt Garland
Signatory Title	Chairman, School Facilities Commission
Date of Signature	November 7, 2019

**7. Governor's Certification**

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	



# Wyoming State Construction Department

Governor Mark Gordon

• Director Delbert McOmie, P.E.

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Date: August 30, 2019

To: Interested Parties

From: Delbert McOmie, Director of the State Construction Department  
Matt Garland, Chairman of the School Facilities Commission

Subject: Statement of Principal Reasons for Proposed Repeal of Chapters 1-8, and 14 under Program 0001; and Creation of a new Program 0003 with Chapters 1-9

When the Legislature created the State Construction Department (SCD) in 2016, it combined two existing agencies: the Construction Management Division of the Department of Administration and Information and the School Facilities Department. Although this change has been implemented on a practical, administrative level, neither agency's rules have been updated or moved to reflect this consolidation. SCD, in concert with the Secretary of State, renamed its rules within the rules system to reflect this change.

Under the current arrangement of the rules, Agency 27 is listed as "State Construction Department," and Program 0001 is listed as "General Agency, Board or Commission Rules." That program heading is incorrect—the rules currently in Program 0001 were promulgated by the School Facilities Commission and apply only to the Commission and the School Facilities Division of the SCD, not the entire agency. Consequently, the School Facilities Commission (Commission) is proposing to repeal its existing rules and re-promulgate those rules under a new program title that accurately reflects the content and scope of the rules. The Commission will use Program 0003 for its Rules and reserve Program 0002 for general SCD rules. The SCD and the Commission do not intend to make any changes to the language of the existing rules, substantive or otherwise, beyond changing Chapter 14 to Chapter 9 and the program title and number with the Secretary of State's Office.

Date: November 6, 2019

## Summary of Comments and School Facilities Commission Responses

State Construction Department: General Agency, Board or Commission Rules and Regulations  
Repeal of Chapters 0 – 14

State Construction Department School Facilities Commission Rules and Regulations Adoption of  
Chapters 1 – 9

Due to an error in the Secretary of State’s online Rules management system arising from the Legislature’s 2016 creation and establishment of the State Construction Department (SCD), the School Facilities Commission’s (Commission) rules appear as the “General Agency, Board or Commission Rules” of the SCD. In order to correct this error and allow the SCD to promulgate its own rules under its own authority to govern the SCD, the Commission has proposed to repeal its existing rules and re-promulgate those rules under a new program title that accurately reflects the content and scope of the rules.

The Commission will use Program 0003 for its Rules and reserve Program 0002 for general SCD rules. The SCD and the Commission do not intend to make any changes to the language of the existing rules, substantive or otherwise, beyond changing the program title and number with the Secretary of State’s Office. The comment period began on September 20, 2019 and ended November 4, 2019. The notice of rulemaking was published in the Casper Star Tribune and the Wyoming Tribune Eagle. On November 6, 2019, the Commission held a public hearing in Jackson, Wyoming. The State Construction Department received no comments, written or oral, on the proposed rule changes.



## **Chapter 1**

### **General Provisions**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statute 21-15-114(a)(xv).

**Section 2. Definitions.**

(a) “Aggrieved party” means a school district whose legal rights, duties or privileges have been harmed by an act of the Commission and which is entitled to a contested case proceeding as provided by law.

(b) “Capital Construction” means those remedies receiving legislative funding. Capital Construction does not include major building and facility repair (major maintenance) funding.

(c) “Closed” means any school building or facility that is not currently being used and is capable of being reopened.

(d) “Cohort Survival Calculation” means the rate of progression for each grade (K through 11) to the next grade (1 through 12) using the ten-year average for each grade progression.

(e) “Component Level Recommendations” means recommendations by the Commission to implement remedies to address school building and facility condition by repairing or replacing components when it is determined by the Commission that it is not feasible for districts to do so solely with major maintenance funds.

(f) “Contractor” means any person who is a party to a contract with the Commission or a district to construct, erect, alter, install or repair any Commission approved remedy.

(g) “Department” means the State Construction Department.

(h) “Design Charrette” means an interactive and collaborative process where participants (school district, architects and others) work in a focused and sustained effort to develop the basis for a feasible building design that meets the educational, budgetary and schedule goals for the project.

(i) “Design Professionals” means the architect or other professional contracted with the district to design a remedy.

(j) “Educational specifications or “Ed-specs” means those specifications used to define the programmatic, educational and functional goals of the educational facility.

(k) “Facility Condition Assessment” (FCA) means the systematic process of collecting measured data, or making observations relative to the physical condition of a building

or facility or one or more of its components or group(s) of components and recording the results.

(l) “Facility Condition Index” (FCI) means a numerical rating or building condition score based on measured data or assessment of physical components or systems. The condition of a building is expressed as a ratio of the Cost to Repair Deficiencies, or “Deferred Maintenance” (DM) divided by the Current Replacement Value (CRV) of the building. The formula is:

$$FCI = \frac{\sum DM}{\sum CRV}$$

(m) “Facility Condition Needs Index” (FCNI) means a numerical rating or score assigned to a building represented by the FCI measured components and additional data comprised of technology readiness (TECH), illumination (ILLUM), and indoor air quality (IAQ). The FCNI is expressed as a ratio of the Cost to Repair Deficiencies or “Deferred Maintenance” (DM) plus the cost of the three additional systems divided by the Current Replacement Value (CRV) of the building plus the cost of the building improvements associated with the three systems. The formula is:

$$FCNI = \frac{\sum DM + DM_{ILLUM} + DM_{TECH} + DM_{IAQ}}{\sum CRV + CRV_{ILLUM} + CRV_{TECH} + CRV_{IAQ}}$$

(n) “Informal Review” means the opportunity afforded a school district under W.S. 21-15-116(f) to consult with the Department or Commission regarding an action of the Department or Commission prior to seeking administrative review.

(o) “Kick-off Meeting” means a meeting(s) between personnel of the Department and personnel of the district, in addition to such other persons as may be necessary to accomplish project planning.

(p) “Leased Facilities” means any land, building or equipment or other capital asset that has been leased by or to a district.

(q) “Mothballed building or facility” is any district building or facility which is closed and not operational, has the potential to be re-opened, is not being replaced under a district’s facility plan approved by the Commission, is not determined surplus within the district’s facility plan, and is maintained in good condition, for a maximum of three (3) years without additional approval from the Commission.

(r) “Payable-Leased Facilities” are those facilities which are used by the district to provide the approved educational programs as prescribed by W.S. 21-15-109(c)(i)(B). These facilities shall be included in the district’s gross square footage totals.

(s) “Permanent Modular Building” means a pre-built, factory constructed and assembled school building or facility that is transported in an assembled condition to the location on which the building or facility is to be situated that is placed on a permanent foundation, and that is expected to be used by the district for its designed lifetime.

(t) “Project budget” means the amount of legislative funding allocated to a specific remedy. The project budget for any specific remedy shall be an amount determined by the Commission to be sufficient to fund the total project cost of the remedy. Funds allocated to a specific remedy remain State funds and are not an entitlement of any district.

(u) “Separate Account” means an individual account held by the district for depositing and expending major building and facility repair funds. These funds shall not be commingled with any other funds or accounts.

(v) “Total project cost” means all project costs, including but not limited to: land acquisition, site preparation, design, construction, contingencies, FF&E, special studies (e.g. traffic, lighting), surveys, environmental assessments, geotechnical investigations, demolition, commissioning, owner’s representative fees, testing and inspections, plan review, and building permit/occupancy fees.

### **Section 3. Chair.**

(a) The Chair shall preside at all meetings of the Commission. The Chair shall appoint all committees and perform such duties as the statute, rule or the Commission specifies.

(b) In the absence of the Chair at any meeting of the Commission, the Vice-Chair shall serve as Acting Chair of the meeting. If both the Chair and Vice-Chair are absent or otherwise unable to preside over the meeting or perform a specified duty, the Chair shall designate a commissioner to serve as Acting Chair for the meeting or task.

### **Section 4. Secretary; Minutes; Books and Records.**

(a) The Administrator of the School Facilities Division shall function as Secretary to the Commission, and the Department shall administratively implement the Commission’s rules. The Secretary for the Commission shall conduct and care for all the correspondence of the Commission and keep and maintain the minutes of all the meetings of the Commission and the books and records of the Commission. The Secretary shall provide notice of the time and place of all meetings of the Commission, including an agenda of items to be discussed, to each Commissioner.

(b) All orders and final decisions of the Commission, the minutes of all its sessions, meetings and proceedings, and the Commission’s rules shall be kept by the Secretary for permanent public record and shall be open for public inspection at the office of the Department, 700 West 21<sup>st</sup> Street, Cheyenne, WY 82002. The Secretary may certify to the correctness of any copies of such documents.

### **Section 5. Meetings; Attendance by Telecommunication; Quorum.**

(a) The Commission shall meet at least quarterly and at other times as necessary to transact its business.

(b) Meetings of the Commission are open to the public, except for those meetings or portions of a meeting that may be conducted in executive session pursuant to W.S. 16-4-405.

(c) Commissioners may attend meetings using telephonic or other means of telecommunication.

(d) Meetings and hearings shall be separate functions.

(e) A majority vote of the members of the Commission present at a meeting shall be required for approval of any actions of the Commission.

#### **Section 6. Order of Business; Agendas.**

(a) An agenda shall be prepared by the Secretary and approved by the Chair. The agenda shall set forth all matters to come before the Commission at the meeting and indicate for each matter whether it requires action to be taken by the Commission at the meeting. Before each meeting of the Commission, the Secretary shall circulate to all Commissioners the agenda so prepared by the Secretary and approved by the Chair. A public comment period may be included in the agenda at the discretion of the Chair.

(b) Other than for purposes of public comment, persons desiring to have a matter brought before the Commission shall make such request through the Department who will work with the persons making the request to determine how and when it is appropriate that the matter be presented to the Commission.

#### **Section 7. Recusal.**

(a) A Commissioner shall recuse himself from all proceedings relating to a matter if he has a personal or private interest in the matter. The Commissioner shall recuse himself by serving a written or verbal notice of recusal upon the Chair, who shall notify all other Commissioners and any parties involved in the matter. On and after the date of recusal, the recused Commissioner shall not participate in any deliberations, decisions or other actions of the Commission relating to the matter.

(b) A recused Commissioner may attend hearings and other proceedings related to a recused matter as a member of the public. The Commissioner may also attend any Commission meeting at which topics relating to the matter arise and participate in the deliberations, decisions and other actions of the Commission on topics unrelated to the matter upon which recusal has occurred.

**Section 8. Signing of Contracts.** Contracts, agreements, memoranda of understandings and other documents of the Commission may be signed by the Chair, or by a designee of the chair. The Secretary shall sign only those contracts, agreements, memoranda of understanding or other documents of the Commission for which the Commission has delegated its authority to the Secretary. The Secretary may further designate a member of the staff to sign on his or her behalf.



**Section 9. Public Records Practices.**

(a) All requests for public records from the Commission shall be in writing and processed according to this Section. For purposes of the Wyoming Public Records Act, the Secretary is the custodian of all public records of the Commission.

(b) The Commission incorporates by reference the following uniform rule:

(i) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records, adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <https://rules.wyo.gov>;

(ii) The Commission has determined that incorporation of the full text in this rule would be cumbersome or inefficient given the length or nature of the rule;

(iii) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable date identified in subsection (b)(i); and

(iv) The incorporated rule is maintained at the Department’s Cheyenne office and is available for public inspection and copying at cost at the same location.

**Section 10. Exceptions.**

The Commission may grant exceptions to guidelines, standards, or methodologies on a case by case basis. The Department shall create a thorough written record supporting the granting or denial of every exception request. The Commission shall at a minimum consider the reasons why the exception is being requested, the nature of the request, any cost implications of the request, and whether alternative means exist to accomplish the purposes of the request. Exception requests shall be initially presented to the Department for its consideration and recommendation to the Commission.

**Chapter 2**  
**Rules of Practice and Procedure for Contested Case Proceedings**

**Section 1. Authority.** This Chapter is promulgated by the Commission under the authority of Wyoming Statutes 16-3-102(a)(i),(d), 21-15-114(a)(xv), 21-15-116(e) and 21-15-116(f).

**Section 2. Application of Rules.** This Chapter shall apply to contested case proceedings and informal reviews authorized by Wyoming Statutes and brought before the Commission by a properly aggrieved party.

**Section 3. Informal Review Proceedings.**

(a) Districts may request an informal review before the Department or the Commission before pursuing a contested case review. The time period for filing a formal request shall be tolled for the period of time from the date of that request until the conclusion of the informal review.

(b) A district requesting an informal review shall do so, in writing, to the Director of the Department. The request shall contain:

- (i) The decision of the Commission or the Department the district would like reviewed;
- (ii) A brief explanation of why the decision should be reviewed;
- (iii) Any additional facts the district would like to be considered; and
- (iv) The legal authority upon which it is believed a decision was made in error.

(c) A decision or action of the Department shall be reviewed in the first instance by the Director. If the district is unsatisfied by the Director's review, it may ask that the decision be reviewed by the Commission.

(d) Informal reviews before the Department shall be held either at the Department's Cheyenne office, or, if agreeable to the district, via video or teleconference. The review shall be scheduled at the earliest convenience of the district and the Department, but in no event later than thirty (30) days after the request is made unless otherwise agreed to by both parties in writing.

- (e) Informal reviews before the Department shall proceed as follows:
  - (i) Department staff will present the information and basis for its decision or action;
  - (ii) The district will present any additional facts and authority upon which it believes the Department acted in error; and
  - (iii) The Director shall issue his decision as soon thereafter as reasonably practicable. The Director shall confirm his decision in writing and outline the basis for that decision.
- (f) If, following the Department's review, the district is still unsatisfied with the actions of the Department it may request an informal review before the Commission.
- (g) Informal reviews before the Commission shall be limited to the information presented during the Department's review.
- (h) Informal reviews before the Commission shall be scheduled by the Commission.
  - (i) If possible, the review shall be scheduled for the next regularly scheduled Commission meeting.
  - (ii) If the next regularly scheduled Commission meeting is not available, or, if the district and the Commission agree the next regularly scheduled meeting of the Commission is not practical, the Commission may call an emergency meeting to address the informal review.
  - (iii) The time allotted to the district's presentation will not exceed one (1) hour, unless otherwise agreed to by the district and Commission.
- (i) The Commission shall issue its decision as soon thereafter as reasonably practicable. The Chair shall follow up the decision in writing and outline the basis for that decision.

#### **Section 4. Contested Case Proceedings.**

- (a) A properly aggrieved party may file a timely request for a hearing with the Commission requesting a contested case proceeding. The request shall be in accordance with the provisions contained in this Chapter.
- (b) The request shall be served on the Commission and other necessary parties. Service shall be made to the Wyoming School Facilities Commission, c/o State Construction Department, School Facilities Division, 700 West 21st Street, Cheyenne, Wyoming 82002. Service can be made in person, by mail or received by facsimile, 307-777-8711, during regular business hours. Any facsimile received after regular business hours will be treated as received during the regular business hours of the next working day.

(c) The request shall be filed with the Commission within forty-five (45) days of the date of the final administrative decision at issue, or of the date of mailing of the final administrative decision as evidenced by a postmark, whichever is later. The Commission may grant an exception in circumstances where good cause is shown.

**Section 5. Formal Request Contents and Requirements.**

(a) To initiate a contested case proceeding the aggrieved party shall prepare and file with the Commission a request which includes the following:

(i) The name, telephone number, fax number, if available, and mailing address of the aggrieved party and the same information for the representing attorney, if applicable;

(ii) A statement, in ordinary and concise language, of the facts and of the errors alleged to have been committed and issues upon which the request is based, including particular references to statutory sections, contract provisions or rules, regulations, policies, and orders involved;

(iii) A copy of the decision and relevant material which relates to the decision at issue;

(iv) The specific relief sought; and

(v) The signature of the aggrieved party and the representing attorney, if applicable.

**Section 6. Incorporation by Reference.** The Commission incorporates by reference the following uniform rule:

(a) Chapter 2 – Contested Case Proceedings adopted by the Office of Administrative Hearings and effective on July 20, 2017, found at <https://rules.wyo.gov>;

(i) The Commission has determined that incorporation of the full text in this rule would be cumbersome or inefficient given the length or nature of the rule;

(ii) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rule is maintained at the Department office and is available for public inspection and copying at cost at the same location.

**Section 7. Final Decision.** At the request of the Commission, the hearing officer shall make a recommended decision to the Commission. The Commission shall issue the final decision.

### **Chapter 3** **Uniform Adequacy Standards**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), (ix) and 21-15-115(a).

**Section 2. Uniform Statewide Adequacy Standards.** The Commission adopts the following uniform statewide adequacy standards for school buildings and facilities by reference. Recognizing that many Wyoming schools were constructed prior to the adoption of these standards, and that a long-term process is in place to bring all school facilities in the State of Wyoming into compliance with these adequacy standards, these standards shall control how school facility remediation shall be implemented.

- (a) The following rules are incorporated by reference in these Commission rules.
  - (i) Maximum Allowable Square Footage Allotment Methodology, adopted by the Commission and effective on October 20, 2016.
  - (ii) Capacity Calculation Methodology, adopted by the Commission and effective on June 22, 2016, updated on October 20, 2016, and updated on September 20, 2018.
  - (iii) Furniture Fixtures and Equipment (FF&E) Budget and Funding Methodology, adopted by the Commission and effective on June 22, 2017.
  - (iv) Wyoming School Facilities Commission Design Standards for Outdoor Athletic Facilities, adopted by the Commission and effective on April 21, 2016.
  - (v) Wyoming School Facilities Commission School Bus Maintenance and Parking Facility Design Guidelines, adopted by the Commission and effective on July 16, 2013.
  - (vi) Wyoming School Facilities Commission Design Guidelines, adopted by the Commission and effective on January 26, 2010.
- (b) The Commission has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rule.
- (c) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable dates identified in subsection (a) of this section.
- (d) The incorporated matter is maintained at the Department's office in Cheyenne and is available for public inspection and copying at cost at the same location or on the Commission's website.
- (e) Enrollment Projection Methodology. Student enrollment changes shall be analyzed as follows:

(i) Identify present and potential grade configuration levels.

(ii) Identify rural schools and in-town schools (busing for a particular grade configuration is not taking place from in-town to out-of-town and vice versa). In these instances, a rural school stands on its own for analysis, in-town schools stand on their own.

(A) District in-town attendance boundaries are not accounted for individually, but as a whole.

(iii) Kindergarten enrollment is based upon a simple linear forecast using ten (10) years of trailing data.

(iv) Based on the survival rate from each grade (K through 11) to the next grade (1 through 12) using the ten (10) year trailing data average, calculate projected enrollment for each year by applying the prior year's enrollment in the previous grade.

(v) The department in making recommendations to the commission for determining the most cost effective remedy may use the following:

(A) Increasing Enrollment - When the school district's past and projected enrollments show an increasing population trend, the enrollment shall be based on a five-year cohort survival calculation after substantial completion.

(B) Stable Enrollment - When the school district's past and projected enrollments show a stable population trend (when the pattern has multiple increases and decreases), the enrollment shall be based on the average of the cohort survival calculation for a period of five years starting from the anticipated date of occupancy.

(C) Best Available Data - In certain situations, other data (e.g. historical, economic or social) may be considered to most accurately predict population trends. In all cases, only data considered by the Commission as reliable should be used and documented upon which projected enrollment is calculated for all recommended remedies.

(f) Classroom and Other Spaces. The Uniform Adequacy Standards do not prescribe the size of the various spaces which may be included in the design of any particular school facility. The Maximum Allowable Square Footage Allotment Methodology provides an allowable square footage within which a facility is to be designed. The design process shall seek out the most efficient and effective manner of allocating classroom and other spaces within the allowable square footage to provide buildings and facilities necessary for delivering educational programs prescribed by law and the student capacity in the school as determined by the Capacity Calculation Methodology or as approved by the Commission.



**Section 3. Enhancements and Adequacy Standards.**

(a) The following criteria and procedures are to identify local enhancements to school buildings and facilities which are in excess of state building adequacy standards and to determine whether and how any local enhancements should be incorporated into the statewide adequacy standards.

(i) The Department shall maintain a record identifying all local enhancements.

(ii) The Department shall consult with the Wyoming Department of Education to determine if any local enhancements have a positive demonstrable effect upon delivery of the prescribed state educational program. If local enhancements have a positive demonstrable effect upon the delivery of the educational program, the Commission shall make a determination whether and how such local enhancements should be incorporated into the statewide adequacy standards.

## **Chapter 4 Facility Planning**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv) and 21-15-116.

**Section 2. Facility Plan.** The Department shall schedule facility plan review meetings with each district. Facility plan review meetings shall be conducted every two years at a minimum. Districts shall participate in the facility planning process and supply information requested by the Department in the prescribed format.

## **Chapter 5**

### **Emergency Funding Procedures**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv) and 21-15-120(a).

**Section 2. Basis for Declaration of Emergency.** The Commission recognizes that emergencies may occur with respect to the adequacy of buildings and facilities and which immediately and substantially impact the ability of the district to provide educational programs required by law. Districts respond to emergencies in order to mitigate damages and restore the District's ability to provide educational programs required by law by first utilizing insurance coverage and then major building and facility repair and replacement payments. Emergency funding for temporary measures may become necessary under certain circumstances when insurance funding is not available or major building and facility repair and replacement payments are not sufficient. Emergency funding for temporary remedies may be available when the Commission, in consultation with the district(s) determines that the situation immediately and substantially affects or affected the ability of one or more districts to provide the educational programs required by law and that no other reasonable alternative exists to address the situation other than emergency funding.

#### **Section 3. Application.**

(a) Applications for emergency funding shall be presented to the Department for submittal to the Commission and shall at a minimum include:

(i) A detailed description of the circumstances giving rise to the emergency and how it immediately and substantially affects or affected the ability of the district to provide the educational programs required by law, including the expected duration of the emergency;

(ii) The location of all structures affected by the emergency and, if the emergency affects only a portion of a structure, a detailed description of the affected portion;

(iii) The district's proposed remedy or action taken by the district that was determined to be immediately necessary to temporarily resolve the emergency and why it is, or was, the most cost effective temporary measures to remediate the emergency, including all alternatives considered;

(iv) An estimate of the cost of the proposed remedy, including estimates of alternative remedies considered;

(v) Bids or estimates received from contractors to address the emergency;

(vi) Any other reasonable documentation and information pertinent to the request; and

(vii) Documentation that the district has notified their insurance carrier of a claim and of the status of payments for loss and reimbursement for costs incurred to the district's major building and facility repair and replacement separate account;

(b) The district's superintendent shall certify in writing that no other funds are available to remedy the emergency and that the information disclosed in the application is true, correct and complete;

(c) The remedy adopted by the Commission shall be the most cost-effective, means of addressing the emergency.

#### **Section 4. Disbursement of Funds.**

(a) For any emergency for which major building and facility repair and replacement payments are not sufficient to provide temporary measures and other responses, or if such payments would severely compromise implementation of the district's facility plan, as determined by the Commission, the Commission shall determine if the temporary measures and other responses require a capital outlay. The Commission shall only request capital outlay for an emergency after consideration of all other remedies. In providing temporary measures and other responses for an emergency, the Commission shall ensure the adoption of the most cost effective method of remediation that is in the best financial and educational interests of the state. The Commission shall implement this subsection in carrying out temporary measures and other responses, giving proper consideration to the prevention of unnecessary delays.

(b) Expenditures from the school capital construction account shall be for necessary temporary measures and other responses and related costs. Any commitment by the Commission may only be made to the extent that funds have been appropriated by the Legislature for the purpose of addressing facility emergency measures or are otherwise available in the school capital construction account.

(c) The Commission recognizes that the remediation of emergencies may require immediate action. Under certain circumstances, it may be impractical for the Commission to convene in a timely manner. Upon request for emergency funding from a district, the Director may determine if the request requires immediate action, or if the request may require action by the Commission.

(i) If the Director determines the request requires immediate action, the Director shall consult with the Chair as soon as practicable concerning the request for emergency funding. Any commitment by the Director may only be made to the extent that funds have been appropriated by the Legislature for the purpose of addressing facility emergency temporary measures or are otherwise available in the school capital construction account. The Director may not commit more than \$100,000.00 for emergency measures, subject to availability of funds in the account.

(ii) The Director shall inform the Commission of any action taken with regard to the request as soon as possible and shall provide a full report of the emergency and any funding commitment at the following Commission meeting.

(d) Disbursements shall not be made for any unauthorized expenses.

## **Chapter 6**

### **Square Footage Guidelines for Major Maintenance Payments**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-111(a)(xv) and 21-15-109(c)(i).

#### **Section 2. Calculation.**

(a) Actual square footage of buildings shall be calculated using the exterior building face dimensions of enclosed space at each floor level. Areas not to be included in square footage calculations include:

- (i) Crawl spaces;
- (ii) Pipe tunnels;
- (iii) Roof overhangs; and
- (iv) Walkways, and other non-enclosed facilities.

(b) The total square footage of structures shall be calculated by using any one of the following measurement methods:

- (i) On-site measurements of the structure;
- (ii) Dimensions taken from as-built floor plans where complete information is available; or
- (iii) Computer-aided drawing (CAD) utilizing as-built floor plans.

(c) Each floor of multi-floored structures shall be calculated separately, and calculations for all floors shall be combined for the total area of the entire structure, including the gross square footage area of basements.

(d) The major category (i.e. educational, office, or warehouse) designated for gross square footage within each building or facility shall be determined based upon the major use of the building.

(e) The total square footage of structures in the district shall be separately set out for each major category (i.e. educational, office or warehouse) using the following sub-categories:

- (i) Educational
  - (A) Standard educational space
  - (B) Educational portables
  - (C) Educational non-portables
  - (D) Qualified educational leases per W.S. 21-15-109(c)(i)(B)



- (E) Other non-qualified educational leases
- (F) Mothballed
- (ii) Office
  - (A) Portable building used as an office
  - (B) Leased offices
  - (C) All other offices
- (iii) Warehouse
  - (A) Bus barn (transportation facility)
  - (B) Portable building used as storage
  - (C) Warehouse leases
  - (D) All other warehouses

(f) Mechanical space. When calculating the overall building square footage for a new building, addition or major remodel (for the purposes of determining the allowable gross square footage), if the mechanical space complies with the definitions outlined below, then it is not required to be included in the gross square footage calculations for the new construction.

(i) Section 502- International Building Code, 2006 Edition. Equipment Platform: An unoccupied, elevated platform used exclusively for mechanical systems or individual process equipment, including the associated elevated walkway, stairs and ladders necessary to access the platform. (See also Section 505.5).

(ii) Section 1502 - International Building Code, 2006 Edition. Penthouse: An enclosed, unoccupied structure above the roof of a building, other than a tank, tower, spire, dome copula or bulkhead, occupying not more than 1/3 of the roof area. (See also Section 1509.2)

(iii) Also, for the type of construction, all allowable size and height of a tower or spire shall be as outlined in Sections 1509.5, 1509.5.1 and 1509.5.2.

**Chapter 7**  
**Annual Reports and Major Building and Facility Repair and Replacement Requests**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-109(e) and 21-15-115(b).

**Section 2. New Construction Report.**

(a) Each district shall annually report on a building-by-building basis, all expenditures made during the prior fiscal year for new construction.

(b) Each district shall make its annual report under this Chapter on such form or forms as the Commission requires.

(c) All district submissions under this section shall be certified by the district's superintendent as being true, correct, and complete.

**Section 3. Major Building and Facility Repair and Replacement Requests and Report.**

(a) Amounts distributed for major building and facility repair (major maintenance) shall be deposited by each district into a separate account, the balance of which may accumulate from year to year. This account is subject to periodic audit by the Commission.

(b) Districts shall make requests for major maintenance expenditures through the Department, identifying the building and component(s) affected.

(c) Requests shall include information required by the Department and shall be submitted through the Department's financial accounting database system.

(d) Each district shall annually report on a building-by-building basis all expenditures made from its separate major maintenance account.

(i) Each district shall submit an annual report under this Chapter in such form as the Department requires.

(ii) Each district shall report major maintenance expenditures by July 31 of each year to the Department. Reports shall be submitted in such form as the Department requires.

(iii) District reports under this section shall be certified by the district superintendent as being true, correct and complete.

**Chapter 8**  
**Criteria for Identifying and Prioritizing Remedies, and Establishing Project Budgets**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-117(a)(i), 21-15-119(a), (c), 21-15-121(a), and 28-11-301(c)(iv).

**Section 2. Inventory: Assignment of Building Condition.** The Commission shall prepare and maintain an inventory of district-owned school buildings and facilities. Each structure in the inventory shall be assigned scores, as applicable, to denote building condition, educational suitability, and capacity in accordance with these rules and regulations. Technology readiness shall be considered in arriving at a score for educational suitability. These scores shall be used to establish a state-wide needs index, which shall then be used in conjunction with District facility plans to arrive at a prioritization schedule for building and facility remediation.

**Section 3. Prioritization of Building Remediation.** In prioritizing projects for the schedule of remedies and submission to the Legislature for funding, the highest needs shall be addressed first. Buildings shall be ranked from highest need to lowest need as follows:

(a) Capacity Prioritization.

(i) Districts with capacity exceeding 100% (high capacity) shall be determined to be in need of immediate attention and shall take precedence before other capacity needs.

(ii) Districts with a capacity between 100% and 95% (medium capacity) may be considered for funding only after high capacity school needs have been addressed.

(iii) Districts with a capacity between 95% and 90% (low capacity) may be considered for planning funding.

(b) Condition Prioritization.

(i) Schools with an FCI score exceeding 0.65 (high condition) shall take precedence before other condition needs and may be forwarded for capital construction funding based on the determination of the most cost effective remedy.

(ii) Schools with an FCI score between 0.55 and 0.65 (medium condition) may be forwarded for consideration for planning funds and possible capital construction funding after high condition school needs have been addressed.

(iii) Schools with an FCI score below 0.55 (low condition) shall be remedied primarily using routine maintenance or major building and facility repair and replacement (major maintenance) funding.

(c) Educational suitability is addressed through routine maintenance, major maintenance, or capital construction projects funded by the Legislature.

(d) An updated method of calculating suitability has been adopted by the Commission and may be found in the “Educational Suitability Score Report” prepared by the Commission and attached hereto as Appendix C.

(e) The Commission may periodically review and verify needs assessment data and building and facility ratings for condition, capacity and suitability to ensure the assessments provide timely and uniform data in accordance with W.S. 21-15-115(b).

(f) At least biennially, a new prioritized needs index shall be developed by Commission and that needs index shall be the basis upon which legislatively funded remedies shall be determined. Calculation of the relative weights of the three scoring tools for purposes of developing that needs index shall be 50% weighting to facility condition, 35% weighting to facility capacity, and 15% weighting to educational suitability.

#### **Section 4. Project Budgets.**

(a) Budgets for prioritized projects shall be established as follows:

(i) The Department shall prepare budgets based on the schedule of building and facility remediation. Each budget shall include, but is not limited to, land, project planning, design, construction, and on-site and off-site infrastructure.

(ii) The Commission shall develop a schedule for building and facility remediation for each budget period. The schedule shall identify the remedies attached to each need for funding to include planning, design, and construction projects by category as follows: capacity, condition, and other needs determined by the Commission.

(iii) Using accepted accounting standards and the principles outlined above the Commission shall, not later than September 1 of each year, prepare and submit to the Governor and the Select Committee on School Facilities, a proposed budget, the prioritized list of projects proposed for funding, the amount of funding allocated to each project, the assessments conducted by the Commission of condition, capacity and suitability, and the annual building status report specified under W.S. 21-15-121.

#### **Section 5. Identification and Determination of Remedy.**

(a) The Commission considers various criteria to identify and determine the most cost effective method of remediation of building and facility needs to deliver quality educational services and to meet adequacy standards.

(i) Facility design guidelines, methodologies, procedures and policies of the Commission shall be considered by the Department, in consultation with the district, and appropriate data and facts shall be reported, which may be presented as a formal study identifying possible remedies to assist the Commission. The Department may utilize outside consultants to conduct studies.

(ii) The most cost effective method of remediation will initially be determined during the planning / budgeting phase of a legislatively-funded project but may be revised by the Commission to reflect changed conditions.

(iii) The Commission may consider the following non-exclusive list of factors in determining the most cost effective method of remediation:

(A) School district facility plan;

(B) Non-construction alternatives, including grade reconfiguration;

(C) Non-capital remedies;

(D) Availability of major building and facility repair and replacement funds;

(E) Enrollment projections, design capacity, and square footage;

(F) Immediacy of the need;

(G) Compliance with statewide adequacy standards;

(H) Educational specifications;

(I) Total project cost and budget; and

(J) Site, utilities, streets, and other physical data and characteristics that may impact a proposed method of remediation, including availability of existing school sites or district owned land or the need to acquire land.

APPENDIX C:  
Education Suitability Score Report



## Introduction

The Wyoming School Facilities Commission (SFC) has developed an assessment of Education Functionality of its school buildings. This facility assessment will help the SFC and the Wyoming's school districts to understand how well the school facility support the ability to deliver a quality educational program begin cognitive of the districts' delivery of those programs.

The results of this assessment will be used by the SFC and Wyoming school districts to assist in the development of a Needs Prioritization Index to help identify where there are school facility issues in the stat and begin the process of identifying potential remedies. The Needs Prioritization Index utilizes three pieces of information about school facilities including a Facility Condition Score. Enrollment-to-Capacity Score, and the Education Functionality Score.

### A. School Building Areas and Activities

The Functionality Assessment looks at the different areas of the school building based on a variety of activities. For purposes of this assessment, these activity areas are grouped together into broad categories. These categories include:

- Site
- Technology & Communications
- Administration & Support
- Student Dining
- Health & Physical Education
- Custodial & Maintenance
- Common Spaces
- General Learning Spaces
- Special Education
- Library & Media
- Arts & Performing Arts
- Applied Lab Learning (e.g., science, career-technical education, etc.)

## B. Functionality Characteristics

The Functionality Assessment looks at several functionality characteristics of the building as a whole, its site, and the individual activity areas. The primary functionality characteristics observed in the assessment include:

- A. Safety, Security, & Supervision
  - 1. Accessible, clear sight lines
  - 2. Windows and doors are securable
- B. Space Appropriateness
  - 1. Space if appropriately sized for the activity
  - 2. Teacher staff have workspace
- C. Environmental Conditions
  - 1. Lighting
  - 2. Acoustics
  - 3. Heating, Cooling, & Ventilation
  - 4. Flexibility of the space
  - 5. Student personalization
- D. Utilities, Fixed Equipment, Surfaces, and Storage
  - 1. Chalkboards, whiteboards, smartboards, and projector screens
  - 2. Storage
  - 3. Flooring materials
  - 4. Wall materials
  - 5. Availability and placement of electrical outlets

Additional functionalities will be assessed that are specific to the different areas when appropriate.

### C. Assessment Scoring Methodology

Throughout the functionality assessment, the assessment team will use a four-point scale to score the criteria. As a way to anchor the assessment, the four-point scale provides some guidance as to the nature of the remedy to some key functionality indicators. This four-point scale is:

4 = EXCELLING: DESIGN AND STRUCTURE FACILITATES TEACHING AND LEARNING; SUPPORTS THE ABILITY TO DELIVER A QUALITY EDUCATIONAL PROGRAM

3 = ACCOMMODATIONS IDENTIFIED TO BE ADDRESSED: PRIMARILY “DESIGN” ISSUES; MAY REQUIRE MINOR DESIGN OR STRUCTURAL CHANGES AS A REMEDY

2 = MODIFICATIONS IDENTIFIED TO BE ADDRESSED: DETRACTING FROM TEACHING AND LEARNING MAY REQUIRE MAJOR DESIGN OR STRUCTURAL CHANGES AS A REMEDY; HEALTH & SAFETY NEGATIVELY IMPACTED

1 = SIGNIFICANT MODIFICATIONS IDENTIFIED TO BE ADDRESSED: SIGNIFICANT DETRACTIONS TO TEACHING AND LEARNING; PROBABLY REQUIRES MAJOR STRUCTURAL CHANGES AS A REMEDY; HEALTH & SAFETY ISSUES PRESENT SEVERE NEGATIVE IMPACT

As the assessment team finds that the functionality of a given criteria could be improved to better support the delivery of a quality educational program, the assessor will perform a first-order approximation of the type of remedy that would be needed to improve the education functionality of that criteria within that space. The assessment is incomplete without an approximation of the nature of the remedy associated with scores of 2 or less.

**SITE SIZE, ORIENTATION, & APPROPRIATENESS OF LOCATION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size and utilization of the site accommodates the school learning and learning support activities (SFC site guidelines as a general reference point)			
Orientation of the building minimizes effects of wind and noise on classrooms and internal/external learning environments and makes the best use of natural light for the building			
Site has drainage so as to minimize inconveniences to pedestrian and vehicle traffic and long-term effects on school building and other learning environments			

**SITE SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p>Vehicular traffic patterns to/from school provide easy and safe access to school entrances including busses, parent pickup/dropoff, and pedestrian traffic</p> <ul style="list-style-type: none"> <li>• Pickup/dropoff areas for busses and parents are separate, off-street, and allow for easy, safe access to school entrances; material and condition are appropriate</li> <li>• Sized to allow coordinated pickup/dropoff activities including extra time needed for special education</li> <li>• Pedestrian traffic does not directly cross heavy vehicle traffic areas</li> </ul>			
<i>Signage</i> for pedestrian traffic including crosswalks and for visitors directing them towards the main entrance; vehicle traffic for busses, parent pickup/dropoff areas, appropriate, parking areas, and fire lanes			
Clear sightlines around the site with minimal concealed spaces and obstructed views including landscaping			

Explicitly from building perimeter perspective the school building has main entrance that is clearly identifiable; limited entryways and multiple exitways; door monitoring system on all exterior doors is highly desirable			
Off-street parking available for staff, parents/visitors, and students (in high schools) is adequate with clear signage designating appropriate areas for each; lighting provides safe wayfinding to and from the school; materials and condition are appropriate			

**SITE UTILITIES & SHIPPING/RECEIVING**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Electrical, plumbing, sewage and other utilities serving the building and site are sufficient to handle the activities of the school			
Shipping and receiving, refuse collection, and food services areas have clear signage; are removed from the main entrance and exitways to minimize student and other pedestrian contact during the school day			

**TECHNOLOGY & COMMUNICATIONS SITE CAPACITY**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Telecommunications systems (television, high-speed internet, telephone, etc.) are sufficient to accommodate learning activities for size of school			
Sufficient back-up power for telecommunications and security systems; sufficient to carry out communications and security plan in case of emergency			

**ADMINISTRATION & LEARNING SUPPORT SPACES**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Technology connectivity and access, bandwidth to perform administrative and support activities (computer and internet)			
Telecommunications technology (telephone, internet, etc.) connectivity and access appropriate for administration and student support activities: <ul style="list-style-type: none"> <li>• Office-to-classrooms and classrooms-to-office communications systems;</li> <li>• Office-to-outside and classrooms-to-outside communication systems;</li> <li>• Emergency Management Communication System; alarms and/or surveillance systems (passive and active security)</li> </ul>			

**LEARNING SPACES**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Technology connectivity and access, bandwidth to deliver education program (audio, visual, computer, and internet); access to audio/visual equipment			

**SCHOOL SERVER and COMMUNICATION ROOM(S)**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Computer server rooms</i> are in functionally appropriate space and location in the building (should not be a shared space with HVAC, electrical, or other services); appropriately ventilated, cooled, sound isolated, and secured			
Computer, technology, and communications equipment and supplies storage is appropriate and secure; ideal IT only space and include a work surface for equipment maintenance			

<p>Communications room</p> <ul style="list-style-type: none"> <li>• Appropriate space in school (not shared space with HVAC, mechanical, or custodial services)</li> <li>• Walls and flooring surfaces appropriate (floor should be hard surface, wall surfaces should accommodate panel board installation)</li> <li>• Storage for equipment and supplies; ideally have space for servicing equipment</li> <li>• HVAC on separate control system</li> </ul>			
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**ADMINISTRATION & STUDENT SUPPORT SPACES SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p>Administration offices provide ease of supervision and aid in safety and security of school building;</p> <ul style="list-style-type: none"> <li>• Main entrance is visible from administrative office with clear signage for administrative offices</li> <li>• Controlled access with clear signage directing visitor sign-in;</li> <li>• Secretary/receptionist near/adjacent to the main building entrance to serve as a buffer between the outside and internal spaces</li> </ul>			
<p>Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)</p>			
<p>Building allows controlled access to different parts of the facility (e.g., gym, auditorium, library/media center) during after-hours for school and community use</p>			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p>Administration and receptionist/secretary spaces sufficient to accommodate typical administrative and support activities</p> <ul style="list-style-type: none"> <li>• Appropriate guest seating in waiting</li> <li>• Appropriate student seating and standing area for students</li> <li>• Administrative and receptionist/secretary work areas have sufficient buggers to waiting areas</li> <li>• Enough space in administration and administrative support areas to accommodate copier, printer(s), fax machine, and other specialized equipment</li> </ul>			
<p>Conference room is in proximity to administration and/or other student support services; location and space serves the school well</p>			
<p>Proximity of office to student support spaces such nurse’s room and counselor’s office provides easy access and supervision</p> <ul style="list-style-type: none"> <li>• Direct access to nurse’s office from both the main office and the corridor is highly desirable and within easy view of the secretary/receptionist</li> <li>• Counselor’s office may be close to, but separate from, the main office; space should provide ease of student access and is inviting to students</li> </ul>			
<p>Workroom space is easily accessed by staff; allows for small group work as well as individual work areas; Workroom is proximate to general office; in larger schools flexible space OR positioned in areas frequented by staff</p>			
<p>Nurse’s room has sufficient space for work space, adequate beds for size of school with screening curtains, and base and wall cabinets for equipment and records storage</p>			



**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p><i>Natural and artificial lighting</i></p> <ul style="list-style-type: none"> <li>• Appropriate for these spaces</li> <li>• Lighting is easily controlled through convenient placement of switches and window coverings</li> </ul>			
<p><i>Acoustics</i> are appropriate for each of the spaces; conversations and noise within these spaces do not spill into adjacent classrooms/offices; noise from adjacent areas do not adversely affect these rooms</p>			
<p><i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; <i>Ventilation</i> provides good air circulation and quality of the room</p>			

**UTILITIES, FIXED EQUIPMENT, SURFACES, AND STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p>Administrative &amp; support space buffer includes a front counter, workstations, and cabinetry for storage of supplies; lockable cabinetry for sensitive materials</p>			
<p>Workroom has mailboxes for staff; workstations for individual and small group work; surfaces for messages (e.g., white board, tackable surfaces, etc.)</p>			
<p>Nurse's room includes single bowl, hot and cold water sink in a base cabinet; space for an undercounter refrigerator; accessible toilet room with handheld shower and shower drain; water-resistant flooring and wall materials the entire height of the walls</p>			

**STUDENT DINING & FOOD SERVICE SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student dining area is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			
Communications system between student dining area and office sufficient to overcome greater levels of noise associated with the space			
Secured buffer between student dining and food preparation areas; secured food preparation and service areas			
Kitchen <ul style="list-style-type: none"> <li>• Loading area with unobstructed outside access from the service drive</li> <li>• Service drive should not be in proximity to student pathways between cafeteria and playground areas</li> </ul>			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Cafeteria space is appropriately sized and defined by efficient traffic flows <ul style="list-style-type: none"> <li>• Located adjacent to the kitchen</li> <li>• Direct access to the main corridor with direct line to the kitchen serving line</li> <li>• Dish return circulation should not cross the serving line</li> <li>• Access to outdoor activity areas as far as possible from the serving line</li> <li>• Minimum ceiling height of 12 feet</li> </ul>			
Dining space is flexible for multiple purposes and configurations			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> (natural and artificial) an: easily controlled through convenient lighting control systems; daylighting is uniform throughout the dining space			
<i>Acoustical</i> isolation of mechanical, electrical and communications rooms and sound attenuation from adjacent rooms (both an issue of location and sound-damping materials)			
<i>Heating &amp; cooling; ventilation and air quality</i> are appropriated in dining space, kitchen space			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Floor and wall materials in dining space and kitchen are durable and easily cleaned			
Drinking fountain or water cooler in the corridor within 25 feet of the cafeteria door			
Appropriate and convenient storage of tables, chairs, and other equipment in alcoves or closets; preferable that tables and chairs are non-fixed for maximum flexibility in use of space			
Appropriate and secured equipment and storage for food preparation activities including freezers, coolers, heating equipment, ventilation hoods, tables/counters, etc.			

**HEALTH, WELLNESS, & PHYSICAL EDUCATION SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			

Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space			
Ability to secure area separate from classrooms if made open to public during non-schooling hours			

### SPACE APPROPRIATENESS

	SCORE/ NATURE OF REMEDY	COMMENTS	FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY
<b>DEFINING CHARACTERISTICS</b>			
Space is appropriately sized for health and wellness instruction			
Teacher has appropriate workspace area			
Changing areas and restrooms adjacent to physical education room			

### ENVIRONMENTAL CONDITIONS

	SCORE/ NATURE OF REMEDY	COMMENTS	FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY
<b>DEFINING CHARACTERISTICS</b>			
<i>Lighting controls are easily accessible and controllable; adjustable lighting; artificial, non-harsh lighting</i>			
<i>Acoustics</i> within the gym space appropriate for the learning spaces and other spaces around the gym			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; <i>Ventilation</i> provides good air circulation			
<i>Flexibility and Adaptability</i> of learning space to allow for multiple uses – limited fixed equipment and furniture			

### UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE

	SCORE/ NATURE OF REMEDY	COMMENTS	FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY
<b>DEFINING CHARACTERISTICS</b>			
Number and placement of electrical allows for use of technology throughout the learning space			
<i>Storage:</i> <ul style="list-style-type: none"> <li>• Equipment and supplies</li> <li>• Storage for teacher supplies and equipment</li> </ul>			

Flooring is appropriate for learning environment; flooring of restrooms, changing areas, and showers are appropriate with necessary drainage			
Wall surfaces appropriate for learning spaces allowing for display of student work where appropriate; hard surfaces are easily cleaned			
Hydration stations in close proximity to activities area; appropriate height for age group			

**SITE EXTERIOR ACTIVE/PASSIVE STUDENT LEARNING SPACES  
SAFETY, SECURITY, & SUPERVISION**

	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<b>DEFINING CHARACTERISTICS</b>			
Access to/from exterior learning spaces is controlled and easily supervised; teachers have communication ability with administration			
Students have access to exterior curricular/co-curricular learning environments and social spaces including playgrounds for age-appropriate activities; areas are adjacent to the school but separated from vehicular traffic			

**SPACE APPROPRIATENESS**

	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<b>DEFINING CHARACTERISTICS</b>			
Space is appropriately sized and placed for student activities (primary students - Kindergarten and 1st grade – have separate playground) as well as having appropriate equipment for age of children			

**CUSTODIAL & MAINTENANCE SPACE SAFETY, SECURITY, & SUPERVISION**

	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<b>DEFINING CHARACTERISTICS</b>			
Safety and security of space for storage of equipment and materials associated with maintenance and custodial work; all areas including operations areas such as boilers and chillers have limited key access			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Primary custodial and maintenance spaces are combination of office and receiving and storage space; located near the service entrance for receiving			
Custodial space is conveniently located throughout the building to serve the academic areas, physical education spaces, and administration and learning support spaces			
Mechanical, electrical, and communication rooms should have direct exterior access through doors with enough space to pass largest piece of equipment and equipment maintenance items			
Communications room is centrally located in the building			
Electrical transformers, panels, and sub-panels not to be located in custodial closets			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> is appropriate for the spaces and switches are conveniently located; natural light is not required in these areas			
<i>Acoustical</i> isolation of mechanical, electrical, and sound attenuation from adjacent (both an issue of location and sound-dampening materials)			
Ventilation as well as heating and cooling of spaces is appropriate			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Custodial closets <ul style="list-style-type: none"> <li>• Have floor-mounted sinks with industrial faucets with hot and cold water</li> <li>• Painted concrete flooring and painted walls</li> <li>• Mop holder with shelving above sink</li> <li>• Adjustable shelving for storage</li> <li>• Storage room for indoor floor cleaning and supplies</li> </ul>			
Appropriate roof access			

**COMMON SPACE – RESTROOMS, HALLWAYS, & STAIRWAYS  
SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Spaces are easily accessed by students and staff, clear lines of sight, and easily supervised; free of obstructions and concealed spaces accessible, clear lines of sight, and easily supervised; layout does not impede supervision; ADA compliance is preferable			
Windows and doors are secured; locking doors internal to school building and to external areas			
Circulation spaces should be direct, simple, and logical as a wayfinding systems into and through the building; clear directional signs to the main areas of the building and to restrooms			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<p>Hallways and common spaces</p> <ul style="list-style-type: none"> <li>• Appropriately sized for age of students for efficient and safe movement including handrails in stairwells;</li> <li>• Promotes student socialization;</li> <li>• Ability to showcase student work and other school announcements;</li> <li>• Width of corridors are appropriate for age of students and number of students; lockers in hallways require more hallway space – narrow and congested corridors result in excessive noise, student behavior issues, and increased</li> </ul>			
Restrooms are sufficient in number and locations are convenient to the various learning spaces with the school			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> controls are easily accessible and controllable: adjustable lighting; artificial, non-harsh lighting			
<i>Acoustics</i> in entryways, lobby, and corridors minimized to avoid disturbances to classroom learning areas through use of barriers and sound-dampening materials; acoustical separation between instructional areas and restrooms			
<i>Ventilation</i> and <i>heating/cooling</i> of common spaces and restrooms are appropriate; <i>Ventilation</i> provides good air circulation and quality of air			



**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Flooring <ul style="list-style-type: none"> <li>• Lobby flooring should be hard surfaces</li> <li>• Entryway floors have walk-off carpets/mats</li> <li>• Corridor flooring either resilient flooring or</li> <li>• Restroom flooring is hard surface with appropriate drainage</li> </ul>			
Walls <ul style="list-style-type: none"> <li>• Entryway walls should be of durable materials, similar to exterior walls</li> <li>• Corridor walls are durable material, easily cleaned with high-impact corner guards</li> <li>• Tackboards throughout the building</li> </ul>			
Electrical power outlets available throughout the corridors			
Doors opening into corridors recessed			
Restroom fixture are appropriate in number and height (sink, toilet); Drinking fountains are available throughout the school and at appropriate heights			

**GENERAL LEARNING SPACES SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student learning space is easily accessed by students and staff, clean lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where application such as Kindergarten learning spaces)			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size of learning spaces can accommodate multiple learning activities			
Teacher has workspace area and storage			

Learning spaces have good proximity to restrooms (Kindergarten rooms are directly adjacent to dedicated restroom for grade level)			
Learning spaces have reasonable access to entry/exitways (multiple access for fire safety, access to playgrounds/fields. Kindergarten learning spaces located in a party of the building to allow easy parental pickup and dropoff)			

### ENVIRONMENTAL CONDITIONS

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE</b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable; adjustable lighting			
<i>Acoustics</i> within the learning spaces appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces have minimal effects on classroom			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; <i>Ventilation</i> provides good air circulation and quality of the room			
<i>Flexibility and Adaptability</i> of learning space to allow for multiple uses – limited fixed equipment and			
<i>Student personalization</i> including space on the walls and student personal spaces			

### UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Number and placement of electrical outlets allows for use of technology throughout the learning space			
<i>Storage:</i> <ul style="list-style-type: none"> <li>• Student storage space for belongings such as coats and backpacks, Primary grade (K-2) have cubby spaces;</li> <li>• Shelving for books and other learning materials</li> <li>• Storage for teacher supplies and equipment</li> </ul>			

Flooring is appropriate for the learning environment (Kindergarten classroom has mixture of carpet and other "wet area" flooring; restroom flooring is hard surface with appropriate drainage); classroom entrance flooring accommodates clothing and footwear for Wyoming weather			
Wall surfaces allow for display of student work; hard surfaces are easily cleaned			
Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students			

**LIBRARY & MEDIA CENTER SERVICES SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Library & media space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision; Entrance to the room visible from the circulation desk			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size of learning spaces can accommodate multiple learning activities; Space allows for safe, smooth, efficient traffic through the entire area <ul style="list-style-type: none"> <li>• Stacks area</li> <li>• Individual and small group activity; separated from large group instruction area</li> <li>• Large group instructional area</li> <li>• Computer lab/workstations</li> </ul>			
Office area for media center specialist; storage of supplies and materials			
One or more entrances from the mail corridor; main entrance preferably double doors			
Direct access between media center and computer lab/workstations			

**ENVIROMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> is mix of natural and artificial lights; as much natural daylight as possible is encouraged; lighting controls easily accessible; adjustable lighting; blinds and blackout capability; separate lighting controls for each learning area			
<i>Acoustics</i> so as to minimize noise within the space as well as limited effects on learning areas outside of the space			
<i>Heating and cooling</i> controls easily accessible; good ventilation and air quality; computer labs should be maintained at 68 degrees			

**UTILITIES, FIXED EQUIPMENT, SURGACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Number and placement of electorcal outlets and data outlets are conveniently accessed in all the learning areas			
Storage <ul style="list-style-type: none"> <li>• Equipment and supplies;</li> <li>• Lockable cabinets with adjustable shelves in computer lab;</li> <li>• Open adjustable shelving for stacks;</li> <li>• Base cabinets around circulation desk for processing activities</li> <li>• Wall cabinets;</li> <li>• Adjustable shelving behind circulation</li> </ul>			
HVAC requirements special for these areas to control temperature			
Storage for large and small equipment and supplies (computers, peripherals, etc.)			

**SPECIAL EDUCATION CLASSROOMS SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision; Access is appropriate for student with special needs (ADA)			
Windows and doors are secured; locking doors internal to school building			

**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size of learning space can accommodate multiple learning activities, allows for observation of students without directly interfering with learning activities; Space to accommodate large equipment and supplies required to deliver the education program			
Restroom adjacent to classroom; includes shower and changing area; restroom and facilities are appropriately designed to accommodate students with special needs			
Teacher has workspace area and access to accommodate multiple related service activities			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces have minimal effects on classroom			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the room			

<i>Flexibility and Adoptability</i> of classroom space to allow for multiple uses – limited fixed equipment and furniture			
<i>Student personalization</i> including space on the walls and student cubby spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Number and placement of protected electrical outlets allows for use of technology throughout the learning space			
<i>Storage:</i> <ul style="list-style-type: none"> <li>• Cubby space for student belongings:</li> <li>• Shelving for books and other learning materials</li> <li>• Storage for teacher supplies and equipment</li> </ul>			
<i>Flooring</i> is mixture of carpet and other “wet area” flooring; restroom flooring is hard surface with appropriate drainage; classroom entrance flooring accommodates clothing and footwear for Wyoming weather			
Restroom fixture are appropriate height (sink, toilet, drinking fountain)			
Wall surfaces allow for display of student work; hard surfaces are easily cleaned			
Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students			
When appropriate, ceiling supports and other structural supports to accommodate equipment			

**ARTS, PERFORMING ARTS, & MUSIC SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			

Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space			
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**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size of learning space can accommodate multiple learning activities; appropriate performance space is available			
Teacher has workspace area and storage			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE</b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable; adjustable lighting; avoid lighting that produces a 60-cycle hum			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding learning spaces and learning support spaces have minimal effects on classroom; use of lower absorption materials for acoustical treatments; teacher must be able to hear the individual as well as the balance within the ensemble			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the space			
<i>Flexibility and Adoptability</i> of classroom space to allow for multiple uses; moveable/operable walls to divide spaces – limited fixed equipment and furniture			
<i>Student personalization</i> including space on the walls and student display spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Number and placement of electrical outlets allows for use of technology throughout the learning space			
<i>Storage:</i> <ul style="list-style-type: none"> <li>• Student storage space for belongings;</li> <li>• Supplies for equipment</li> <li>• Storage for teacher supplies and equipment</li> </ul>			
<i>Flooring</i> is appropriate for learning environment			
Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students			
Lockable space for supplies storage; Base and wall cabinets in arts space; stacking area for wall			
Sinks with appropriate drainage in arts and music spaces to clean equipment			

**APPLIES LAB LEARNING SPACES (e.g., SCIENCE, CTE) SAFETY, SECURITY, & SUPERVISION**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			
Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space			
Lockable space for supplies storage; lockable space for science chemicals and other hazardous materials			
Health and safety treatment mechanisms are easily accessible, such as eyewash, chemical showers, and first aid kits			



**SPACE APPROPRIATENESS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Size of learning space can accommodate multiple learning activities; Space to accommodate large equipment and supplies required to deliver the education program; Lab stations can accommodate student activities			
Teacher has workspace area			

**ENVIRONMENTAL CONDITIONS**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces learning have minimal effects on classroom			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the learning space and chemical storage area			
<i>Flexibility and Adoptability</i> of classroom space to allow for multiple uses; appropriate fixed equipment and furniture			
<i>Student personalization</i> including space on the walls and student storage spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b>DEFINING CHARACTERISTICS</b>	<b>SCORE/ NATURE OF REMEDY</b>	<b>COMMENTS</b>	<b>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</b>
Number and placement of electrical outlets allows for use of technology throughout the learning space			

<p><i>Storage:</i></p> <ul style="list-style-type: none"> <li>• Student storage space for belongings;</li> <li>• Supplies for equipment &amp; supplies and other learning materials;</li> <li>• Storage for teacher supplies and equipment</li> </ul>			
<p><i>Flooring</i> is appropriate for learning environment; classroom entrance flooring accommodates clothing and footwear for Wyoming weather</p>			
<p>Lab station surfaces appropriate for instructional activities</p>			
<p>Ventilation systems in lab area to control air quality</p>			
<p>Wall surfaces allow for display of student work; hard surfaces are easily cleaned</p>			
<p>Blackboards, whiteboards, smartboards, and projector screens are at an appropriate height for students</p>			

## **Chapter 9**

### **Implementation of Remedies and Project Management**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-117, 21-15-118(c) and 21-15-123(f)(v).

#### **Section 2. Relationship Between the State Construction Department and School Districts.**

(a) Master Memoranda of Understanding (MOU's) and Project Agreements shall be developed to establish the working relationship between the Department and the district.

(i) Master MOUs. The Master MOU defines the duties and responsibilities of the Department and the district for non-capital construction functions, including, but not limited to, major building and facility repair and replacement, facility planning, condition assessments, and annual reporting.

(ii) Project Agreements. Project Agreements define the duties and responsibilities of the Department and the district for construction and renovation of school buildings and facilities, including, but not limited to, determination of the most cost effective remedy, land purchase, design, procurement and construction. No work or disbursement of funds shall proceed on projects until a Project Agreement is executed between the Department and the district. Districts shall not expend any appropriated project funds until authorized by the Director.

(b) Departmental Review. The Department shall review school construction projects for compliance with uniform statewide adequacy standards. This review shall be ongoing throughout the planning, budgeting, design, and construction process.

**Section 3. Program Planning.** Upon determination of the most cost effective remedy, the Department shall develop a detailed scope of the work and estimated budget for the remedy in consultation with the district. The scope of the work and estimated budget shall form the basis of any future budget request. A request to change the scope of the work shall be presented to the Commission along with all financial implications and justification for the change. If approved by the Commission, the Department shall amend the scope of work and estimated budget.

#### **Section 4. Prototypical Designs.**

(a) To further the concept of value-added projects, the Commission encourages using prototypical designs and prototypical components. When appropriate and feasible to meet the needs of a district, prototypes may shorten design time, simplify value engineering, decrease costs, and increase construction efficiency.

(b) The Department shall maintain a database of school floor plans that districts may consider for re-use.

(c) School districts may consider the use of prototype designs (past designs) from the Department database or other designs that may be available from architects. The district may utilize the services of a design consultant to determine whether prototype designs may be appropriate or whether modifications of prototype plans are feasible to meet the needs of the district.

**Section 5. Determination of Delivery Method.**

(a) Projects shall be designed and constructed using the design-bid-build delivery method unless extenuating circumstances exist that necessitate the adoption of an alternate method. District requests for the Commission to approve an alternate design and construction delivery method shall explain the reason(s) an alternate project delivery method is preferable to the design-bid-build delivery method.

(b) The Commission shall consider the following non-exclusive and non-prioritized list of factors in making a determination to allow alternate design and construction delivery methods:

- (i) Size and complexity of the remedy;
- (ii) Budget and availability of funds;
- (iii) Urgency of time;
- (iv) Past experience with the delivery method;
- (v) Anticipated cost of the possible various delivery methods;
- (vi) Market conditions, including access to and availability of personnel to provide design or construction services; and
- (vii) District input and recommendations regarding delivery method.

**Section 6. Site Analysis and Land Acquisition.**

(a) Requests for land acquisition may originate with a request by a district to the Department or as a Department recommendation. The Commission shall determine if there is a need based on capacity, condition, health, safety, determination of the most cost effective remedy, or the best interests of the State.

(i) Many Wyoming schools pre-date the adoption of current standards. School sites which pre-date the original adoption of standards in 2003 may be larger or smaller than the recommended sizes. School sites smaller than these recommendations are presumed to be adequately sited unless the Commission determines otherwise.

- (b) If the Commission determines a need exists, the Commission shall:
  - (i) Examine availability of current district land;
  - (ii) If a replacement building or facility renovation or addition, determine if the current site is appropriate;
  - (iii) If new land is required, consider land swaps and acquisition of publicly-owned land or land in conjunction with a development prior to considering other private land.
  
- (c) If the Commission determines that land acquisition is necessary, the district in consultation with the Department shall conduct an analysis of potential sites or land. Prior to initiating non-confidential site analysis activities the district in consultation with the Department shall obtain a proposed purchase agreement fixing the purchase price and other conditions of purchase, subject to site analysis and due diligence investigation results that are acceptable to the district and Department. Site analysis shall be conducted in accordance and comply with the Commission rules and design guidelines and shall be approved by the Commission. Prior to acquisition the district in consultation with the Department shall conduct a due diligence investigation, which includes the following:
  - (i) Legal description of property;
  - (ii) Title commitment;
  - (iii) Two (2) land appraisals (using the average of two if within 5% of each other, otherwise a 3<sup>rd</sup> appraisal will be obtained and the average of the two (2) closest appraisals will be used);
  - (iv) Site survey to include soil conditions, traffic patterns, utilities and site topography;
  - (v) Phase 1 environmental assessment;
  - (vi) Annexation and zoning issues;
  - (vii) Local development requirements; and
  - (viii) Preliminary and final plat.
  
- (d) The Commission may grant a waiver to any of the above due diligence requirements for good cause.
  
- (e) All phases of the land acquisition process shall be kept confidential. Neither the district nor the Commission will divulge information on proposed land acquisitions until such time as all due diligence has been completed and the land purchase price has been negotiated.

**Section 7. Services and Contracts.**

(a) General.

(i) Districts shall use Commission contracts for capital projects, unless otherwise approved by the Commission and Attorney General's Office.

(ii) Modifications to Commission contracts, including adjustments to further stipulate services and reflect the scope of the particular project, on a project-by-project basis may be submitted to the Department for review and approval in consultation with the Attorney General's Office. Major modifications, as determined by the Department, or alternatives to Commission contracts require approval by the Department, Attorney General's Office, and the Commission.

(iii) Contracts shall be executed by the district and other parties and routed to the Department for its review and approval as to form.

(iv) Contracts modified and executed without the necessary approvals shall not be eligible for State funding.

(b) Owner's Representative.

(i) Owner's representatives are individuals or entities contracted on a project-specific basis to assist the district and State in ensuring the project is managed and completed in accordance with the contracts related to the project.

(ii) The Department shall determine whether an Owner's Representative is necessary, taking into consideration the expense, time, and ability of district and departmental staff.

**Section 8. Value Engineering.**

(a) Value engineering is a process to achieve the best balance of cost-to-value in projects for districts and the State. In addition to value engineering required by design or construction contracts, the Department shall conduct a value engineering analysis using a collaborative process to objectively consider the best approach to design and construct projects. Value engineering shall include life cycle cost analysis of all major systems in the facility.

(i) Value engineering review shall occur at the schematic design phase (10% Design) and the design documents phase (35% Design) or as otherwise determined by the Department. The design of the facility shall conform to value engineering recommendations before it proceeds into the next phase of development unless waived in writing by the Director.

(ii) The Department shall consider the recommendations of value engineering in assessment of enhancements. Any aspect of a design which does not conform to value engineering recommendations approved by the Department and proceeds without approval will

be deemed an enhancement and will be the sole financial responsibility of the district.

(iii) Value engineering strategies learned on previous projects shall be considered for subsequent projects.

**Section 9. Project Closeout.** Absent extenuating circumstances, fund balances remaining from project budgets that are unencumbered or unobligated are subject to reversion no later than one year after the date of Substantial Completion.

**Section 10. On-site or Off-site Infrastructure.**

(a) On-site or off-site infrastructure includes streets, sidewalks, traffic signals, bike / walk paths, electric, gas, water, sewage systems, storm systems, telephone, data, and other facilities approved by the Commission.

(i) On-site infrastructure solely attributable to the needs of the project and of the capacity required to serve the school facility remedy in accordance with the Commission's design guidelines shall be included in the cost per square foot budget for the building.

(ii) The Department shall budget for the cost of the development of on-site or off-site infrastructure solely attributable to the needs of the project and additional infrastructure costs attributable to shared use.

(b) Requests for on-site or off-site infrastructure to be shared with others shall be made by the district in writing and shall include a full description of the project, including the cost of the proposed infrastructure, the functional capacity properly attributable to the needs of the project, contemplated excess functional capacity, and a dedicated source of repayment.

(i) Requests shall be presented to the Department during the initial planning and budgeting for the proposed project. The Department shall make a determination whether further information, such as design engineering or cost data, is required before the request is presented to the Commission for its consideration as part of its budget recommendation. The district shall notify the affected municipality or local governmental entity of the request and of the time and location at which it will be considered by the Commission.

(ii) Requests will only address infrastructure needed for the school building and facility.

(iii) The Department, in consultation with the Attorney General's Office, shall determine if a contractual agreement is required for cost-sharing, repayment, or operation agreement(s) with the affected parties. Cost-sharing or repayment agreements shall include provisions for reimbursement of departmental expenditures for functional capacity beyond the capacity properly attributable to the needs of the project to be repaid to the Department over time with interest. Amounts repaid shall be deposited by the Department into the school capital construction account.

(iv) The functional capacity needs of school buildings and facilities shall take precedence over the needs of others.

(c) If extensions to municipal or other Department-approved utilities are not available or are cost prohibitive, then on-site systems may be constructed.

(d) The district shall notify the affected municipality or other local governmental entity in writing of Commission action taken related to on-site or off-site infrastructure and reasons for the action.

### **Section 11. Local Enhancements.**

(a) Identifying Enhancements. The district's intent to pursue enhancements shall be brought to the attention of the Department by the district during facility planning or as early as feasible prior to design. Preliminary information shall indicate the nature, scope, cost and schedule of the enhancement. Enhancements shall be identified as:

(i) Inclusion of a design feature(s) which exceeds or fails to comply with the statewide adequacy standards or is not in compliance with recommendations of value engineering.

(ii) Inclusion of additional square footage of school building and facilities which exceeds the total square footage allowed by statewide adequacy standards.

(b) Enhancement Acknowledgement. The district shall request Commission acknowledgment of enhancements to any school building and facility during project or enhancement planning on a form provided by the Department. This documentation shall identify dedicated sources of funding for the enhancement(s), the contractual arrangements and the means intended to account for the costs of the enhancement(s) separate from any Commission funded remedy. If the enhancement is associated with a legislatively-funded remedy, planning and design of the enhancement(s) shall be identified in the most cost effective remedy if an enhancement is contemplated at that time. The Department will include the information in the project agreement. The district's acknowledgment request shall establish the anticipated impact to the design and construction schedule and cost to the legislatively-funded remedy. As the project progresses and information changes, the district shall update the enhancement acknowledgement, which the Department shall then present to the Commission.

(c) Enhancement Cost Allocation. When local enhancements occur in conjunction with legislatively-funded remedies and the cost of those local enhancements become part of a comprehensive school project, the Department shall determine the appropriate method of allocating costs between the enhancement(s) and the legislatively-funded portion of the project. The cost of the enhancement shall include all design and other consultant costs and construction costs attributable to the enhancement. The district shall bear all costs associated with the enhancement. The Department may require that the enhancements be bid separately as an alternate, that the enhancements be calculated as a percentage of the overall project cost, or a combination thereof, as follows:



(i) When the enhancement is the result of a design preference, it shall be bid as an alternate, the alternate shall include all costs attributable to the enhancement plus all costs for modifications to the legislatively-funded portion of the project that are attributable to the enhancement. Examples include, but are not limited to, additional building height, finishes, or features;

(ii) When the enhancement is the result of additional square footage, the difference between the allowable square footage and the project total square footage shall be computed as a percentage. Project costs will be attributed on the basis of the percentage as identified, or as subsequently revised in the event of a change in the square footage. When changes affect the project that result in additional costs, the costs shall be shared based on this percentage.

(d) Costs associated with leadership in energy and environmental design (LEED) design certification and commissioning will be considered an enhancement and shall be funded by the district.

## **Section 12. Changes to Budgeted Funding.**

(a) In accordance with W.S. 21-15-119(c) and W.S. 28-11-301(c)(iv), budgets for prioritized projects may be adjusted by the Commission and transfers between project phases may be made by the Department.

(b) In the event that any particular project budget is or appears to be insufficient to fully fund that project remedy, the following non-exclusive and non-prioritized list of factors shall be considered by the Department in recommending whether, and how, that project will be allowed to proceed with legislative funding:

(i) Verify value engineering recommendations have been followed;

(ii) Verify aspects of the design of the project to identify cost savings which may be generated within the project. In this regard, all parties shall reexamine earlier assumptions in the search for viable, cost-effective and efficient design changes;

(iii) Verify the scheduling, or phasing, of the project to determine if budgeted funds will be required and cost-savings or cost-deferrals may be obtained by that scheduling. Decision-making shall take into account the funding cycles of the Legislature and the uncertainty of future funding.

(c) If these non-prioritized factors are insufficient to achieve project costs within the project budget, including adjustment for inflation, the Commission shall consider the following additional factors:

(i) Change of delivery method;

- (ii) Other sources of funding, including funding held by the Commission;
- (iii) Delayed start date of the project;
- (iv) Complete or partial re-planning or re-design of the project.

**Chapter 1**  
**General Provisions**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statute 21-15-114(a)(xv).

**Section 2. Definitions.**

(a) “Aggrieved party” means a school district whose legal rights, duties or privileges have been harmed by an act of the Commission and which is entitled to a contested case proceeding as provided by law.

(b) “Capital Construction” means those remedies receiving legislative funding. Capital Construction does not include major building and facility repair (major maintenance) funding.

(c) “Closed” means any school building or facility that is not currently being used and is capable of being reopened.

(d) “Cohort Survival Calculation” means the rate of progression for each grade (K through 11) to the next grade (1 through 12) using the ten-year average for each grade progression.

(e) “Component Level Recommendations” means recommendations by the Commission to implement remedies to address school building and facility condition by repairing or replacing components when it is determined by the Commission that it is not feasible for districts to do so solely with major maintenance funds.

(f) “Contractor” means any person who is a party to a contract with the Commission or a district to construct, erect, alter, install or repair any Commission approved remedy.

(g) “Department” means the State Construction Department.

(h) “Design Charrette” means an interactive and collaborative process where participants (school district, architects and others) work in a focused and sustained effort to develop the basis for a feasible building design that meets the educational, budgetary and schedule goals for the project.

(i) “Design Professionals” means the architect or other professional contracted with the district to design a remedy.

(j) “Educational specifications or “Ed-specs” means those specifications used to define the programmatic, educational and functional goals of the educational facility.

(k) “Facility Condition Assessment” (FCA) means the systematic process of collecting measured data, or making observations relative to the physical condition of a building

or facility or one or more of its components or group(s) of components and recording the results.

(l) “Facility Condition Index” (FCI) means a numerical rating or building condition score based on measured data or assessment of physical components or systems. The condition of a building is expressed as a ratio of the Cost to Repair Deficiencies, or “Deferred Maintenance” (DM) divided by the Current Replacement Value (CRV) of the building. The formula is:

$$\frac{FCI = \sum DM}{\sum CRV}$$

(m) “Facility Condition Needs Index” (FCNI) means a numerical rating or score assigned to a building represented by the FCI measured components and additional data comprised of technology readiness (TECH), illumination (ILLUM), and indoor air quality (IAQ). The FCNI is expressed as a ratio of the Cost to Repair Deficiencies or “Deferred Maintenance” (DM) plus the cost of the three additional systems divided by the Current Replacement Value (CRV) of the building plus the cost of the building improvements associated with the three systems. The formula is:

$$\frac{FCNI = \sum DM + DM_{ILLUM} + DM_{TECH} + DM_{IAQ}}{\sum CRV + CRV_{ILLUM} + CRV_{TECH} + CRV_{IAQ}}$$

(n) “Informal Review” means the opportunity afforded a school district under W.S. 21-15-116(f) to consult with the Department or Commission regarding an action of the Department or Commission prior to seeking administrative review.

(o) “Kick-off Meeting” means a meeting(s) between personnel of the Department and personnel of the district, in addition to such other persons as may be necessary to accomplish project planning.

(p) “Leased Facilities” means any land, building or equipment or other capital asset that has been leased by or to a district.

(q) “Mothballed building or facility” is any district building or facility which is closed and not operational, has the potential to be re-opened, is not being replaced under a district’s facility plan approved by the Commission, is not determined surplus within the district’s facility plan, and is maintained in good condition, for a maximum of three (3) years without additional approval from the Commission.

(r) “Payable-Leased Facilities” are those facilities which are used by the district to provide the approved educational programs as prescribed by W.S. 21-15-109(c)(i)(B). These facilities shall be included in the district’s gross square footage totals.

(s) “Permanent Modular Building” means a pre-built, factory constructed and assembled school building or facility that is transported in an assembled condition to the location on which the building or facility is to be situated that is placed on a permanent foundation, and that is expected to be used by the district for its designed lifetime.

(t) “Project budget” means the amount of legislative funding allocated to a specific remedy. The project budget for any specific remedy shall be an amount determined by the Commission to be sufficient to fund the total project cost of the remedy. Funds allocated to a specific remedy remain State funds and are not an entitlement of any district.

(u) “Separate Account” means an individual account held by the district for depositing and expending major building and facility repair funds. These funds shall not be commingled with any other funds or accounts.

(v) “Total project cost” means all project costs, including but not limited to: land acquisition, site preparation, design, construction, contingencies, FF&E, special studies (e.g. traffic, lighting), surveys, environmental assessments, geotechnical investigations, demolition, commissioning, owner’s representative fees, testing and inspections, plan review, and building permit/occupancy fees.

### **Section 3. Chair.**

(a) The Chair shall preside at all meetings of the Commission. The Chair shall appoint all committees and perform such duties as the statute, rule or the Commission specifies.

(b) In the absence of the Chair at any meeting of the Commission, the Vice-Chair shall serve as Acting Chair of the meeting. If both the Chair and Vice-Chair are absent or otherwise unable to preside over the meeting or perform a specified duty, the Chair shall designate a commissioner to serve as Acting Chair for the meeting or task.

### **Section 4. Secretary; Minutes; Books and Records.**

(a) The Administrator of the School Facilities Division shall function as Secretary to the Commission, and the Department shall administratively implement the Commission’s rules. The Secretary for the Commission shall conduct and care for all the correspondence of the Commission and keep and maintain the minutes of all the meetings of the Commission and the books and records of the Commission. The Secretary shall provide notice of the time and place of all meetings of the Commission, including an agenda of items to be discussed, to each Commissioner.

(b) All orders and final decisions of the Commission, the minutes of all its sessions, meetings and proceedings, and the Commission’s rules shall be kept by the Secretary for permanent public record and shall be open for public inspection at the office of the Department, 700 West 21<sup>st</sup> Street, Cheyenne, WY 82002. The Secretary may certify to the correctness of any copies of such documents.

### **Section 5. Meetings; Attendance by Telecommunication; Quorum.**

(a) The Commission shall meet at least quarterly and at other times as necessary to transact its business.

(b) Meetings of the Commission are open to the public, except for those meetings or portions of a meeting that may be conducted in executive session pursuant to W.S. 16-4-405.

(c) Commissioners may attend meetings using telephonic or other means of telecommunication.

(d) Meetings and hearings shall be separate functions.

(e) A majority vote of the members of the Commission present at a meeting shall be required for approval of any actions of the Commission.

#### **Section 6. Order of Business; Agendas.**

(a) An agenda shall be prepared by the Secretary and approved by the Chair. The agenda shall set forth all matters to come before the Commission at the meeting and indicate for each matter whether it requires action to be taken by the Commission at the meeting. Before each meeting of the Commission, the Secretary shall circulate to all Commissioners the agenda so prepared by the Secretary and approved by the Chair. A public comment period may be included in the agenda at the discretion of the Chair.

(b) Other than for purposes of public comment, persons desiring to have a matter brought before the Commission shall make such request through the Department who will work with the persons making the request to determine how and when it is appropriate that the matter be presented to the Commission.

#### **Section 7. Recusal.**

(a) A Commissioner shall recuse himself from all proceedings relating to a matter if he has a personal or private interest in the matter. The Commissioner shall recuse himself by serving a written or verbal notice of recusal upon the Chair, who shall notify all other Commissioners and any parties involved in the matter. On and after the date of recusal, the recused Commissioner shall not participate in any deliberations, decisions or other actions of the Commission relating to the matter.

(b) A recused Commissioner may attend hearings and other proceedings related to a recused matter as a member of the public. The Commissioner may also attend any Commission meeting at which topics relating to the matter arise and participate in the deliberations, decisions and other actions of the Commission on topics unrelated to the matter upon which recusal has occurred.

**Section 8. Signing of Contracts.** Contracts, agreements, memoranda of understandings and other documents of the Commission may be signed by the Chair, or by a designee of the chair. The Secretary shall sign only those contracts, agreements, memoranda of understanding or other documents of the Commission for which the Commission has delegated its authority to the Secretary. The Secretary may further designate a member of the staff to sign on his or her behalf.

**Section 9. Public Records Practices.**

(a) All requests for public records from the Commission shall be in writing and processed according to this Section. For purposes of the Wyoming Public Records Act, the Secretary is the custodian of all public records of the Commission.

(b) The Commission incorporates by reference the following uniform rule:

(i) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records, adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <https://rules.wyo.gov>;

(ii) The Commission has determined that incorporation of the full text in this rule would be cumbersome or inefficient given the length or nature of the rule;

(iii) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable date identified in subsection (b)(i); and

(iv) The incorporated rule is maintained at the Department’s Cheyenne office and is available for public inspection and copying at cost at the same location.

**Section 10. Exceptions.**

The Commission may grant exceptions to guidelines, standards, or methodologies on a case by case basis. The Department shall create a thorough written record supporting the granting or denial of every exception request. The Commission shall at a minimum consider the reasons why the exception is being requested, the nature of the request, any cost implications of the request, and whether alternative means exist to accomplish the purposes of the request. Exception requests shall be initially presented to the Department for its consideration and recommendation to the Commission.

**Chapter 2**  
**Rules of Practice and Procedure for Contested Case Proceedings**

**Section 1. Authority.** This Chapter is promulgated by the Commission under the authority of Wyoming Statutes 16-3-102(a)(i),(d), 21-15-114(a)(xv), 21-15-116(e) and 21-15-116(f).

**Section 2. Application of Rules.** This Chapter shall apply to contested case proceedings and informal reviews authorized by Wyoming Statutes and brought before the Commission by a properly aggrieved party.

**Section 3. Informal Review Proceedings.**

(a) Districts may request an informal review before the Department or the Commission before pursuing a contested case review. The time period for filing a formal request shall be tolled for the period of time from the date of that request until the conclusion of the informal review.

(b) A district requesting an informal review shall do so, in writing, to the Director of the Department. The request shall contain:

(i) The decision of the Commission or the Department the district would like reviewed;

(ii) A brief explanation of why the decision should be reviewed;

(iii) Any additional facts the district would like to be considered; and

(iv) The legal authority upon which it is believed a decision was made in error.

(c) A decision or action of the Department shall be reviewed in the first instance by the Director. If the district is unsatisfied by the Director's review, it may ask that the decision be reviewed by the Commission.

(d) Informal reviews before the Department shall be held either at the Department's Cheyenne office, or, if agreeable to the district, via video or teleconference. The review shall be scheduled at the earliest convenience of the district and the Department, but in no event later than thirty (30) days after the request is made unless otherwise agreed to by both parties in writing.



(e) Informal reviews before the Department shall proceed as follows:

(i) Department staff will present the information and basis for its decision or action;

(ii) The district will present any additional facts and authority upon which it believes the Department acted in error; and

(iii) The Director shall issue his decision as soon thereafter as reasonably practicable. The Director shall confirm his decision in writing and outline the basis for that decision.

(f) If, following the Department's review, the district is still unsatisfied with the actions of the Department it may request an informal review before the Commission.

(g) Informal reviews before the Commission shall be limited to the information presented during the Department's review.

(h) Informal reviews before the Commission shall be scheduled by the Commission.

(i) If possible, the review shall be scheduled for the next regularly scheduled Commission meeting.

(ii) If the next regularly scheduled Commission meeting is not available, or, if the district and the Commission agree the next regularly scheduled meeting of the Commission is not practical, the Commission may call an emergency meeting to address the informal review.

(iii) The time allotted to the district's presentation will not exceed one (1) hour, unless otherwise agreed to by the district and Commission.

(i) The Commission shall issue its decision as soon thereafter as reasonably practicable. The Chair shall follow up the decision in writing and outline the basis for that decision.

#### **Section 4. Contested Case Proceedings.**

(a) A properly aggrieved party may file a timely request for a hearing with the Commission requesting a contested case proceeding. The request shall be in accordance with the provisions contained in this Chapter.

(b) The request shall be served on the Commission and other necessary parties. Service shall be made to the Wyoming School Facilities Commission, c/o State Construction Department, School Facilities Division, 700 West 21st Street, Cheyenne, Wyoming 82002. Service can be made in person, by mail or received by facsimile, 307-777-8711, during regular business hours. Any facsimile received after regular business hours will be treated as received during the regular business hours of the next working day.

(c) The request shall be filed with the Commission within forty-five (45) days of the date of the final administrative decision at issue, or of the date of mailing of the final administrative decision as evidenced by a postmark, whichever is later. The Commission may grant an exception in circumstances where good cause is shown.

**Section 5. Formal Request Contents and Requirements.**

(a) To initiate a contested case proceeding the aggrieved party shall prepare and file with the Commission a request which includes the following:

(i) The name, telephone number, fax number, if available, and mailing address of the aggrieved party and the same information for the representing attorney, if applicable;

(ii) A statement, in ordinary and concise language, of the facts and of the errors alleged to have been committed and issues upon which the request is based, including particular references to statutory sections, contract provisions or rules, regulations, policies, and orders involved;

(iii) A copy of the decision and relevant material which relates to the decision at issue;

(iv) The specific relief sought; and

(v) The signature of the aggrieved party and the representing attorney, if applicable.

**Section 6. Incorporation by Reference.** The Commission incorporates by reference the following uniform rule:

(a) Chapter 2 – Contested Case Proceedings adopted by the Office of Administrative Hearings and effective on July 20, 2017, found at <https://rules.wyo.gov>;

(i) The Commission has determined that incorporation of the full text in this rule would be cumbersome or inefficient given the length or nature of the rule;

(ii) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rule is maintained at the Department office and is available for public inspection and copying at cost at the same location.

**Section 7. Final Decision.** At the request of the Commission, the hearing officer shall make a recommended decision to the Commission. The Commission shall issue the final decision.

**Chapter 3**  
**Uniform Adequacy Standards**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), (ix) and 21-15-115(a).

**Section 2. Uniform Statewide Adequacy Standards.** The Commission adopts the following uniform statewide adequacy standards for school buildings and facilities by reference. Recognizing that many Wyoming schools were constructed prior to the adoption of these standards, and that a long-term process is in place to bring all school facilities in the State of Wyoming into compliance with these adequacy standards, these standards shall control how school facility remediation shall be implemented.

(a) The following rules are incorporated by reference in these Commission rules.

(i) Maximum Allowable Square Footage Allotment Methodology, adopted by the Commission and effective on October 20, 2016.

(ii) Capacity Calculation Methodology, adopted by the Commission and effective on June 22, 2016, updated on October 20, 2016, and updated on September 20, 2018.

(iii) Furniture Fixtures and Equipment (FF&E) Budget and Funding Methodology, adopted by the Commission and effective on June 22, 2017.

(iv) Wyoming School Facilities Commission Design Standards for Outdoor Athletic Facilities, adopted by the Commission and effective on April 21, 2016.

(v) Wyoming School Facilities Commission School Bus Maintenance and Parking Facility Design Guidelines, adopted by the Commission and effective on July 16, 2013.

(vi) Wyoming School Facilities Commission Design Guidelines, adopted by the Commission and effective on January 26, 2010.

(b) The Commission has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rule.

(c) The incorporation by reference does not include any later amendments or edition of the incorporated matter beyond the applicable dates identified in subsection (a) of this section.

(d) The incorporated matter is maintained at the Department's office in Cheyenne and is available for public inspection and copying at cost at the same location or on the Commission's website.

(e) Enrollment Projection Methodology. Student enrollment changes shall be analyzed as follows:

(i) Identify present and potential grade configuration levels.

(ii) Identify rural schools and in-town schools (busing for a particular grade configuration is not taking place from in-town to out-of-town and vice versa). In these instances, a rural school stands on its own for analysis, in-town schools stand on their own.

(A) District in-town attendance boundaries are not accounted for individually, but as a whole.

(iii) Kindergarten enrollment is based upon a simple linear forecast using ten (10) years of trailing data.

(iv) Based on the survival rate from each grade (K through 11) to the next grade (1 through 12) using the ten (10) year trailing data average, calculate projected enrollment for each year by applying the prior year's enrollment in the previous grade.

(v) The department in making recommendations to the commission for determining the most cost effective remedy may use the following:

(A) Increasing Enrollment - When the school district's past and projected enrollments show an increasing population trend, the enrollment shall be based on a five-year cohort survival calculation after substantial completion.

(B) Stable Enrollment - When the school district's past and projected enrollments show a stable population trend (when the pattern has multiple increases and decreases), the enrollment shall be based on the average of the cohort survival calculation for a period of five years starting from the anticipated date of occupancy.

(C) Best Available Data - In certain situations, other data (e.g. historical, economic or social) may be considered to most accurately predict population trends. In all cases, only data considered by the Commission as reliable should be used and documented upon which projected enrollment is calculated for all recommended remedies.

(f) Classroom and Other Spaces. The Uniform Adequacy Standards do not prescribe the size of the various spaces which may be included in the design of any particular school facility. The Maximum Allowable Square Footage Allotment Methodology provides an allowable square footage within which a facility is to be designed. The design process shall seek out the most efficient and effective manner of allocating classroom and other spaces within the allowable square footage to provide buildings and facilities necessary for delivering educational programs prescribed by law and the student capacity in the school as determined by the Capacity Calculation Methodology or as approved by the Commission.

**Section 3. Enhancements and Adequacy Standards.**

(a) The following criteria and procedures are to identify local enhancements to school buildings and facilities which are in excess of state building adequacy standards and to determine whether and how any local enhancements should be incorporated into the statewide adequacy standards.

(i) The Department shall maintain a record identifying all local enhancements.

(ii) The Department shall consult with the Wyoming Department of Education to determine if any local enhancements have a positive demonstrable effect upon delivery of the prescribed state educational program. If local enhancements have a positive demonstrable effect upon the delivery of the educational program, the Commission shall make a determination whether and how such local enhancements should be incorporated into the statewide adequacy standards.

**Chapter 4**  
**Facility Planning**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv) and 21-15-116.

**Section 2. Facility Plan.** The Department shall schedule facility plan review meetings with each district. Facility plan review meetings shall be conducted every two years at a minimum. Districts shall participate in the facility planning process and supply information requested by the Department in the prescribed format.

**Chapter 5**  
**Emergency Funding Procedures**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv) and 21-15-120(a).

**Section 2. Basis for Declaration of Emergency.** The Commission recognizes that emergencies may occur with respect to the adequacy of buildings and facilities and which immediately and substantially impact the ability of the district to provide educational programs required by law. Districts respond to emergencies in order to mitigate damages and restore the District's ability to provide educational programs required by law by first utilizing insurance coverage and then major building and facility repair and replacement payments. Emergency funding for temporary measures may become necessary under certain circumstances when insurance funding is not available or major building and facility repair and replacement payments are not sufficient. Emergency funding for temporary remedies may be available when the Commission, in consultation with the district(s) determines that the situation immediately and substantially affects or affected the ability of one or more districts to provide the educational programs required by law and that no other reasonable alternative exists to address the situation other than emergency funding.

**Section 3. Application.**

(a) Applications for emergency funding shall be presented to the Department for submittal to the Commission and shall at a minimum include:

(i) A detailed description of the circumstances giving rise to the emergency and how it immediately and substantially affects or affected the ability of the district to provide the educational programs required by law, including the expected duration of the emergency;

(ii) The location of all structures affected by the emergency and, if the emergency affects only a portion of a structure, a detailed description of the affected portion;

(iii) The district's proposed remedy or action taken by the district that was determined to be immediately necessary to temporarily resolve the emergency and why it is, or was, the most cost effective temporary measures to remediate the emergency, including all alternatives considered;

(iv) An estimate of the cost of the proposed remedy, including estimates of alternative remedies considered;

(v) Bids or estimates received from contractors to address the emergency;

(vi) Any other reasonable documentation and information pertinent to the request; and

(vii) Documentation that the district has notified their insurance carrier of a claim and of the status of payments for loss and reimbursement for costs incurred to the district's major building and facility repair and replacement separate account;

(b) The district's superintendent shall certify in writing that no other funds are available to remedy the emergency and that the information disclosed in the application is true, correct and complete;

(c) The remedy adopted by the Commission shall be the most cost-effective, means of addressing the emergency.

#### **Section 4. Disbursement of Funds.**

(a) For any emergency for which major building and facility repair and replacement payments are not sufficient to provide temporary measures and other responses, or if such payments would severely compromise implementation of the district's facility plan, as determined by the Commission, the Commission shall determine if the temporary measures and other responses require a capital outlay. The Commission shall only request capital outlay for an emergency after consideration of all other remedies. In providing temporary measures and other responses for an emergency, the Commission shall ensure the adoption of the most cost effective method of remediation that is in the best financial and educational interests of the state. The Commission shall implement this subsection in carrying out temporary measures and other responses, giving proper consideration to the prevention of unnecessary delays.

(b) Expenditures from the school capital construction account shall be for necessary temporary measures and other responses and related costs. Any commitment by the Commission may only be made to the extent that funds have been appropriated by the Legislature for the purpose of addressing facility emergency measures or are otherwise available in the school capital construction account.

(c) The Commission recognizes that the remediation of emergencies may require immediate action. Under certain circumstances, it may be impractical for the Commission to convene in a timely manner. Upon request for emergency funding from a district, the Director may determine if the request requires immediate action, or if the request may require action by the Commission.

(i) If the Director determines the request requires immediate action, the Director shall consult with the Chair as soon as practicable concerning the request for emergency funding. Any commitment by the Director may only be made to the extent that funds have been appropriated by the Legislature for the purpose of addressing facility emergency temporary measures or are otherwise available in the school capital construction account. The Director may not commit more than \$100,000.00 for emergency measures, subject to availability of funds in the account.



(ii) The Director shall inform the Commission of any action taken with regard to the request as soon as possible and shall provide a full report of the emergency and any funding commitment at the following Commission meeting.

(d) Disbursements shall not be made for any unauthorized expenses.

**Chapter 6**  
**Square Footage Guidelines for Major Maintenance Payments**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-111(a)(xv) and 21-15-109(c)(i).

**Section 2. Calculation.**

(a) Actual square footage of buildings shall be calculated using the exterior building face dimensions of enclosed space at each floor level. Areas not to be included in square footage calculations include:

- (i) Crawl spaces;
- (ii) Pipe tunnels;
- (iii) Roof overhangs; and
- (iv) Walkways, and other non-enclosed facilities.

(b) The total square footage of structures shall be calculated by using any one of the following measurement methods:

- (i) On-site measurements of the structure;
- (ii) Dimensions taken from as-built floor plans where complete information is available; or
- (iii) Computer-aided drawing (CAD) utilizing as-built floor plans.

(c) Each floor of multi-floored structures shall be calculated separately, and calculations for all floors shall be combined for the total area of the entire structure, including the gross square footage area of basements.

(d) The major category (i.e. educational, office, or warehouse) designated for gross square footage within each building or facility shall be determined based upon the major use of the building.

(e) The total square footage of structures in the district shall be separately set out for each major category (i.e. educational, office or warehouse) using the following sub-categories:

- (i) Educational
  - (A) Standard educational space
  - (B) Educational portables
  - (C) Educational non-portables
  - (D) Qualified educational leases per W.S. 21-15-109(c)(i)(B)

(E) Other non-qualified educational leases

(F) Mothballed

(ii) Office

(A) Portable building used as an office

(B) Leased offices

(C) All other offices

(iii) Warehouse

(A) Bus barn (transportation facility)

(B) Portable building used as storage

(C) Warehouse leases

(D) All other warehouses

(f) Mechanical space. When calculating the overall building square footage for a new building, addition or major remodel (for the purposes of determining the allowable gross square footage), if the mechanical space complies with the definitions outlined below, then it is not required to be included in the gross square footage calculations for the new construction.

(i) Section 502- International Building Code, 2006 Edition. Equipment Platform: An unoccupied, elevated platform used exclusively for mechanical systems or individual process equipment, including the associated elevated walkway, stairs and ladders necessary to access the platform. (See also Section 505.5).

(ii) Section 1502 - International Building Code, 2006 Edition. Penthouse: An enclosed, unoccupied structure above the roof of a building, other than a tank, tower, spire, dome copula or bulkhead, occupying not more than 1/3 of the roof area. (See also Section 1509.2)

(iii) Also, for the type of construction, all allowable size and height of a tower or spire shall be as outlined in Sections 1509.5, 1509.5.1 and 1509.5.2.

## Chapter 7

### Annual Reports and Major Building and Facility Repair and Replacement Requests

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-109(e) and 21-15-115(b).

#### **Section 2. New Construction Report.**

(a) Each district shall annually report on a building-by-building basis, all expenditures made during the prior fiscal year for new construction.

(b) Each district shall make its annual report under this Chapter on such form or forms as the Commission requires.

(c) All district submissions under this section shall be certified by the district's superintendent as being true, correct, and complete.

#### **Section 3. Major Building and Facility Repair and Replacement Requests and Report.**

(a) Amounts distributed for major building and facility repair (major maintenance) shall be deposited by each district into a separate account, the balance of which may accumulate from year to year. This account is subject to periodic audit by the Commission.

(b) Districts shall make requests for major maintenance expenditures through the Department, identifying the building and component(s) affected.

(c) Requests shall include information required by the Department and shall be submitted through the Department's financial accounting database system.

(d) Each district shall annually report on a building-by-building basis all expenditures made from its separate major maintenance account.

(i) Each district shall submit an annual report under this Chapter in such form as the Department requires.

(ii) Each district shall report major maintenance expenditures by July 31 of each year to the Department. Reports shall be submitted in such form as the Department requires.

(iii) District reports under this section shall be certified by the district superintendent as being true, correct and complete.

**Chapter 8**  
**Criteria for Identifying and Prioritizing Remedies, and Establishing Project Budgets**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-117(a)(i), 21-15-119(a), (c), 21-15-121(a), and 28-11-301(c)(iv).

**Section 2. Inventory: Assignment of Building Condition.** The Commission shall prepare and maintain an inventory of district-owned school buildings and facilities. Each structure in the inventory shall be assigned scores, as applicable, to denote building condition, educational suitability, and capacity in accordance with these rules and regulations. Technology readiness shall be considered in arriving at a score for educational suitability. These scores shall be used to establish a state-wide needs index, which shall then be used in conjunction with District facility plans to arrive at a prioritization schedule for building and facility remediation.

**Section 3. Prioritization of Building Remediation.** In prioritizing projects for the schedule of remedies and submission to the Legislature for funding, the highest needs shall be addressed first. Buildings shall be ranked from highest need to lowest need as follows:

**(a) Capacity Prioritization.**

**(i) Districts with capacity exceeding 100% (high capacity) shall be determined to be in need of immediate attention and shall take precedence before other capacity needs.**

**(ii) Districts with a capacity between 100% and 95% (medium capacity) may be considered for funding only after high capacity school needs have been addressed.**

**(iii) Districts with a capacity between 95% and 90% (low capacity) may be considered for planning funding.**

**(b) Condition Prioritization.**

**(i) Schools with an FCI score exceeding 0.65 (high condition) shall take precedence before other condition needs and may be forwarded for capital construction funding based on the determination of the most cost effective remedy.**

**(ii) Schools with an FCI score between 0.55 and 0.65 (medium condition) may be forwarded for consideration for planning funds and possible capital construction funding after high condition school needs have been addressed.**

**(iii) Schools with an FCI score below 0.55 (low condition) shall be remedied primarily using routine maintenance or major building and facility repair and replacement (major maintenance) funding.**

**(c) Educational suitability is addressed through routine maintenance, major maintenance, or capital construction projects funded by the Legislature.**

(d) An updated method of calculating suitability has been adopted by the Commission and may be found in the “Educational Suitability Score Report” prepared by the Commission and attached hereto as Appendix C.

(e) The Commission may periodically review and verify needs assessment data and building and facility ratings for condition, capacity and suitability to ensure the assessments provide timely and uniform data in accordance with W.S. 21-15-115(b).

(f) At least biennially, a new prioritized needs index shall be developed by Commission and that needs index shall be the basis upon which legislatively funded remedies shall be determined. Calculation of the relative weights of the three scoring tools for purposes of developing that needs index shall be 50% weighting to facility condition, 35% weighting to facility capacity, and 15% weighting to educational suitability.

#### **Section 4. Project Budgets.**

(a) Budgets for prioritized projects shall be established as follows:

(i) The Department shall prepare budgets based on the schedule of building and facility remediation. Each budget shall include, but is not limited to, land, project planning, design, construction, and on-site and off-site infrastructure.

(ii) The Commission shall develop a schedule for building and facility remediation for each budget period. The schedule shall identify the remedies attached to each need for funding to include planning, design, and construction projects by category as follows: capacity, condition, and other needs determined by the Commission.

(iii) Using accepted accounting standards and the principles outlined above the Commission shall, not later than September 1 of each year, prepare and submit to the Governor and the Select Committee on School Facilities, a proposed budget, the prioritized list of projects proposed for funding, the amount of funding allocated to each project, the assessments conducted by the Commission of condition, capacity and suitability, and the annual building status report specified under W.S. 21-15-121.

#### **Section 5. Identification and Determination of Remedy.**

(a) The Commission considers various criteria to identify and determine the most cost effective method of remediation of building and facility needs to deliver quality educational services and to meet adequacy standards.

(i) Facility design guidelines, methodologies, procedures and policies of the Commission shall be considered by the Department, in consultation with the district, and appropriate data and facts shall be reported, which may be presented as a formal study identifying possible remedies to assist the Commission. The Department may utilize outside consultants to conduct studies.

(ii) The most cost effective method of remediation will initially be determined during the planning / budgeting phase of a legislatively-funded project but may be revised by the Commission to reflect changed conditions.

(iii) The Commission may consider the following non-exclusive list of factors in determining the most cost effective method of remediation:

- (A) School district facility plan;
- (B) Non-construction alternatives, including grade reconfiguration;
- (C) Non-capital remedies;
- (D) Availability of major building and facility repair and replacement funds;
- (E) Enrollment projections, design capacity, and square footage;
- (F) Immediacy of the need;
- (G) Compliance with statewide adequacy standards;
- (H) Educational specifications;
- (I) Total project cost and budget; and
- (J) Site, utilities, streets, and other physical data and characteristics that may impact a proposed method of remediation, including availability of existing school sites or district owned land or the need to acquire land.

APPENDIX C:  
Education Suitability Score Report



## Introduction

The Wyoming School Facilities Commission (SFC) has developed an assessment of Education Functionality of its school buildings. This facility assessment will help the SFC and the Wyoming's school districts to understand how well the school facility support the ability to deliver a quality educational program begin cognitive of the districts' delivery of those programs.

The results of this assessment will be used by the SFC and Wyoming school districts to assist in the development of a Needs Prioritization Index to help identify where there are school facility issues in the stat and begin the process of identifying potential remedies. The Needs Prioritization Index utilizes three pieces of information about school facilities including a Facility Condition Score. Enrollment-to-Capacity Score, and the Education Functionality Score.

### A. School Building Areas and Activities

The Functionality Assessment looks at the different areas of the school building based on a variety of activities. For purposes of this assessment, these activity areas are grouped together into broad categories. These categories include:

- Site
- Technology & Communications
- Administration & Support
- Student Dining
- Health & Physical Education
- Custodial & Maintenance
- Common Spaces
- General Learning Spaces
- Special Education
- Library & Media
- Arts & Performing Arts
- Applied Lab Learning (e.g., science, career-technical education, etc.)

## B. Functionality Characteristics

The Functionality Assessment looks at several functionality characteristics of the building as a whole, its site, and the individual activity areas. The primary functionality characteristics observed in the assessment include:

### A. Safety, Security, & Supervision

1. Accessible, clear sight lines
2. Windows and doors are securable

### B. Space Appropriateness

1. Space if appropriately sized for the activity
2. Teacher staff have workspace

### C. Environmental Conditions

1. Lighting
2. Acoustics
3. Heating, Cooling, & Ventilation
4. Flexibility of the space
5. Student personalization

### D. Utilities, Fixed Equipment, Surfaces, and Storage

1. Chalkboards, whiteboards, smartboards, and projector screens
2. Storage
3. Flooring materials
4. Wall materials
5. Availability and placement of electrical outlets

Additional functionalities will be assessed that are specific to the different areas when appropriate.

### C. Assessment Scoring Methodology

Throughout the functionality assessment, the assessment team will use a four-point scale to score the criteria. As a way to anchor the assessment, the four-point scale provides some guidance as to the nature of the remedy to some key functionality indicators. This four-point scale is:

4 = EXCELLING: DESIGN AND STRUCTURE FACILITATES TEACHING AND LEARNING; SUPPORTS THE ABILITY TO DELIVER A QUALITY EDUCATIONAL PROGRAM

3 = ACCOMMODATIONS IDENTIFIED TO BE ADDRESSED: PRIMARILY “DESIGN” ISSUES; MAY REQUIRE MINOR DESIGN OR STRUCTURAL CHANGES AS A REMEDY

2 = MODIFICATIONS IDENTIFIED TO BE ADDRESSED: DETRACTING FROM TEACHING AND LEARNING MAY REQUIRE MAJOR DESIGN OR STRUCTURAL CHANGES AS A REMEDY; HEALTH & SAFETY NEGATIVELY IMPACTED

1 = SIGNIFICANT MODIFICATIONS IDENTIFIED TO BE ADDRESSED: SIGNIFICANT DETRACTIONS TO TEACHING AND LEARNING; PROBABLY REQUIRES MAJOR STRUCTURAL CHANGES AS A REMEDY; HEALTH & SAFETY ISSUES PRESENT SERVERE NEGATIVE IMPACT

As the assessment team finds that the functionally of a given criteria could be improved to better support the delivery of a quality educational program, the assessor will perform a first-order approximation of the type of remedy that would be needed to improve the education functionality of that criteria within that space. The assessment is incomplete without an approximation of the nature of the remedy associated with scores of 2 or less.

**SITE SIZE, ORIENTATION, & APPROPRIATENESS OF LOCATION**

<u>DEFINING CHARACTERISTICS</u>	<u>SCORE/ NATURE OF REMEDY</u>	<u>COMMENTS</u>	<u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u>
<u>Size and utilization of the site accommodates the school learning and learning support activities (SFC site guidelines as a general reference point)</u>			
<u>Orientation of the building minimizes effects of wind and noise on classrooms and internal/external learning environments and makes the best use of natural light for the building</u>			
<u>Site has drainage so as to minimize inconveniences to pedestrian and vehicle traffic and long-term effects on school building and other learning environments</u>			

**SITE SAFETY, SECURITY, & SUPERVISION**

<u>DEFINING CHARACTERISTICS</u>	<u>SCORE/ NATURE OF REMEDY</u>	<u>COMMENTS</u>	<u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u>
<u>Vehicular traffic patterns to/from school provide easy and safe access to school entrances including busses, parent pickup/dropoff, and pedestrian traffic</u> <ul style="list-style-type: none"> <li>• <u>Pickup/dropoff areas for busses and parents are separate, off-street, and allow for easy, safe access to school entrances; material and condition are appropriate</u></li> <li>• <u>Sized to allow coordinated pickup/dropoff activities including extra time needed for special education</u></li> <li>• <u>Pedestrian traffic does not directly cross heavy vehicle traffic areas</u></li> </ul>			
<u>Signage for pedestrian traffic including crosswalks and for visitors directing them towards the main entrance; vehicle traffic for busses, parent pickup/dropoff areas, appropriate, parking areas, and fire lanes</u>			
<u>Clear sightlines around the site with minimal concealed spaces and obstructed views including landscaping</u>			

<u>Explicitly from building perimeter perspective the school building has main entrance that is clearly identifiable; limited entryways and multiple exitways; door monitoring system on all exterior doors is highly desirable</u>			
<u>Off-street parking available for staff, parents/visitors, and students (in high schools) is adequate with clear signage designating appropriate areas for each; lighting provides safe wayfinding to and from the school; materials and condition are appropriate</u>			

**SITE UTILITIES & SHIPPING/RECEIVING**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Electrical, plumbing, sewage and other utilities serving the building and site are sufficient to handle the activities of the school</u>			
<u>Shipping and receiving, refuse collection, and food services areas have clear signage; are removed from the main entrance and exitways to minimize student and other pedestrian contact during the school day</u>			

**TECHNOLOGY & COMMUNICATIONS SITE CAPACITY**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Telecommunications systems (television, high-speed internet, telephone, etc.) are sufficient to accommodate learning activities for size of school</u>			
<u>Sufficient back-up power for telecommunications and security systems; sufficient to carry out communications and security plan in case of emergency</u>			

**ADMINISTRATION & LEARNING SUPPORT SPACES**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Technology connectivity and access, bandwidth to perform administrative and support activities (computer and internet)			
Telecommunications technology (telephone, internet, etc.) connectivity and access appropriate for administration and student support activities: <ul style="list-style-type: none"> <li>Office-to-classrooms and classrooms-to-office communications systems;</li> <li>Office-to-outside and classrooms-to-outside communication systems;</li> <li>Emergency Management Communication System; alarms and/or surveillance systems (passive and active security)</li> </ul>			

**LEARNING SPACES**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Technology connectivity and access, bandwidth to deliver education program (audio, visual, computer, and internet); access to audio/visual equipment			

**SCHOOL SERVER and COMMUNICATION ROOM(S)**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Computer server rooms are in functionally appropriate space and location in the building (should not be a shared space with HVAC, electrical, or other services); appropriately ventilated, cooled, sound isolated, and secured			
Computer, technology, and communications equipment and supplies storage is appropriate and secure; ideal IT only space and include a work surface for equipment maintenance			

<p><u>Communications room</u></p> <ul style="list-style-type: none"> <li>• <u>Appropriate space in school (not shared space with HVAC, mechanical, or custodial services)</u></li> <li>• <u>Walls and flooring surfaces appropriate (floor should be hard surface, wall surfaces should accommodate panel board installation)</u></li> <li>• <u>Storage for equipment and supplies; ideally have space for servicing equipment</u></li> <li>• <u>HVAC on separate control system</u></li> </ul>			
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**ADMINISTRATION & STUDENT SUPPORT SPACES SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><u>Administration offices provide ease of supervision and aid in safety and security of school building:</u></p> <ul style="list-style-type: none"> <li>• <u>Main entrance is visible from administrative office with clear signage for administrative offices</u></li> <li>• <u>Controlled access with clear signage directing visitor sign-in;</u></li> <li>• <u>Secretary/receptionist near/adjacent to the main building entrance to serve as a buffer between the outside and internal spaces</u></li> </ul>			
<p><u>Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)</u></p>			
<p><u>Building allows controlled access to different parts of the facility (e.g., gym, auditorium, library/media center) during after-hours for school and community use</u></p>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><u>Administration and receptionist/secretary spaces sufficient to accommodate typical administrative and support activities</u></p> <ul style="list-style-type: none"> <li>• <u>Appropriate guest seating in waiting</u></li> <li>• <u>Appropriate student seating and standing area for students</u></li> <li>• <u>Administrative and receptionist/secretary work areas have sufficient buggers to waiting areas</u></li> <li>• <u>Enough space in administration and administrative support areas to accommodate copier, printer(s), fax machine, and other specialized equipment</u></li> </ul>			
<p><u>Conference room is in proximity to administration and/or other student support services; location and space serves the school well</u></p>			
<p><u>Proximity of office to student support spaces such nurse's room and counselor's office provides easy access and supervision</u></p> <ul style="list-style-type: none"> <li>• <u>Direct access to nurse's office from both the main office and the corridor is highly desirable and within easy view of the secretary/receptionist</u></li> <li>• <u>Counselor's office may be close to, but separate from, the main office; space should provide ease of student access and is inviting to students</u></li> </ul>			
<p><u>Workroom space is easily accessed by staff; allows for small group work as well as individual work areas; Workroom is proximate to general office; in larger schools flexible space OR positioned in areas frequented by staff</u></p>			
<p><u>Nurse's room has sufficient space for work space, adequate beds for size of school with screening curtains, and base and wall cabinets for equipment and records storage</u></p>			



**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><i>Natural and artificial lighting</i></p> <ul style="list-style-type: none"> <li>• <u>Appropriate for these spaces</u></li> <li>• <u>Lighting is easily controlled through convenient placement of switches and window coverings</u></li> </ul>			
<p><i>Acoustics are appropriate for each of the spaces; conversations and noise within these spaces do not spill into adjacent classrooms/offices; noise from adjacent areas do not adversely affect these rooms</i></p>			
<p><i>Heating/cooling controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the room</i></p>			

**UTILITIES, FIXED EQUIPMENT, SURFACES, AND STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><i>Administrative &amp; support space buffer includes a front counter, workstations, and cabinetry for storage of supplies; lockable cabinetry for sensitive materials</i></p>			
<p><i>Workroom has mailboxes for staff; workstations for individual and small group work; surfaces for messages (e.g., white board, tackable surfaces, etc.)</i></p>			
<p><i>Nurse's room includes single bowl, hot and cold water sink in a base cabinet; space for an undercounter refrigerator; accessible toilet room with handheld shower and shower drain; water-resistant flooring and wall materials the entire height of the walls</i></p>			

**STUDENT DINING & FOOD SERVICE SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Student dining area is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision</u>			
<u>Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)</u>			
<u>Communications system between student dining area and office sufficient to overcome greater levels of noise associated with the space</u>			
<u>Secured buffer between student dining and food preparation areas; secured food preparation and service areas</u>			
<u>Kitchen</u> <ul style="list-style-type: none"> <li>• <u>Loading area with unobstructed outside access from the service drive</u></li> <li>• <u>Service drive should not be in proximity to student pathways between cafeteria and playground areas</u></li> </ul>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Cafeteria space is appropriately sized and defined by efficient traffic flows</u> <ul style="list-style-type: none"> <li>• <u>Located adjacent to the kitchen</u></li> <li>• <u>Direct access to the main corridor with direct line to the kitchen serving line</u></li> <li>• <u>Dish return circulation should not cross the serving line</u></li> <li>• <u>Access to outdoor activity areas as far as possible from the serving line</u></li> <li>• <u>Minimum ceiling height of 12 feet</u></li> </ul>			
<u>Dining space is flexible for multiple purposes and configurations</u>			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Lighting</u> (natural and artificial) an: easily controlled through convenient lighting control systems; <u>daylighting</u> is uniform throughout the dining space			
<u>Acoustical</u> isolation of mechanical, electrical and communications rooms and sound attenuation from adjacent rooms (both an issue of location and sound-damping materials)			
<u>Heating &amp; cooling; ventilation and air quality</u> are appropriated in dining space, kitchen space			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Floor and wall materials</u> in dining space and kitchen are durable and easily cleaned			
<u>Drinking fountain or water cooler</u> in the corridor within 25 feet of the cafeteria door			
<u>Appropriate and convenient storage</u> of tables, chairs, and other equipment in alcoves or closets; preferable that tables and chairs are non-fixed for maximum flexibility in use of space			
<u>Appropriate and secured equipment and storage</u> for food preparation activities including freezers, coolers, heating equipment, ventilation hoods, tables/counters, etc.			

**HEALTH, WELLNESS, & PHYSICAL EDUCATION SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Student learning space</u> is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
<u>Windows and doors</u> are secured; locking doors internal to school building and to external areas (where applicable)			

Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space			
Ability to secure area separate from classrooms if made open to public during non-schooling hours			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Space is appropriately sized for health and wellness instruction			
Teacher has appropriate workspace area			
Changing areas and restrooms adjacent to physical education room			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<i>Lighting controls are easily accessible and controllable; adjustable lighting; artificial, non-harsh lighting</i>			
<i>Acoustics within the gym space appropriate for the learning spaces and other spaces around the gym</i>			
<i>Heating/cooling controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation</i>			
<i>Flexibility and Adaptability of learning space to allow for multiple uses – limited fixed equipment and furniture</i>			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Number and placement of electrical allows for use of technology throughout the learning space			
Storage: <ul style="list-style-type: none"> <li>Equipment and supplies</li> <li>Storage for teacher supplies and equipment</li> </ul>			

<u>Flooring is appropriate for learning environment; flooring of restrooms, changing areas, and showers are appropriate with necessary drainage</u>			
<u>Wall surfaces appropriate for learning spaces allowing for display of student work where appropriate; hard surfaces are easily cleaned</u>			
<u>Hydration stations in close proximity to activities area; appropriate height for age group</u>			

**SITE EXTERIOR ACTIVE/PASSIVE STUDENT LEARNING SPACES**  
**SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Access to/from exterior learning spaces is controlled and easily supervised; teachers have communication ability with administration</u>			
<u>Students have access to exterior curricular/co-curricular learning environments and social spaces including playgrounds for age-appropriate activities; areas are adjacent to the school but separated from vehicular traffic</u>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Space is appropriately sized and placed for student activities (primary students - Kindergarten and 1st grade – have separate playground) as well as having appropriate equipment for age of children</u>			

**CUSTODIAL & MAINTENANCE SPACE SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Safety and security of space for storage of equipment and materials associated with maintenance and custodial work; all areas including operations areas such as boilers and chillers have limited key access</u>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Primary custodial and maintenance spaces are combination of office and receiving and storage space; located near the service entrance for receiving</u>			
<u>Custodial space is conveniently located throughout the building to serve the academic areas, physical education spaces, and administration and learning support spaces</u>			
<u>Mechanical, electrical, and communication rooms should have direct exterior access through doors with enough space to pass largest piece of equipment and equipment maintenance items</u>			
<u>Communications room is centrally located in the building</u>			
<u>Electrical transformers, panels, and sub-panels not to be located in custodial closets</u>			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Lighting is appropriate for the spaces and switches are conveniently located; natural light is not required in these areas</u>			
<u>Acoustical isolation of mechanical, electrical, and sound attenuation from adjacent (both an issue of location and sound-dampening materials)</u>			
<u>Ventilation as well as heating and cooling of spaces is appropriate</u>			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><u>Custodial closets</u></p> <ul style="list-style-type: none"> <li>• <u>Have floor-mounted sinks with industrial faucets with hot and cold water</u></li> <li>• <u>Painted concrete flooring and painted walls</u></li> <li>• <u>Mop holder with shelving above sink</u></li> <li>• <u>Adjustable shelving for storage</u></li> <li>• <u>Storage room for indoor floor cleaning and supplies</u></li> </ul>			
<u>Appropriate roof access</u>			

**COMMON SPACE – RESTROOMS, HALLWAYS, & STAIRWAYS**  
**SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Spaces are easily accessed by students and staff, clear lines of sight, and easily supervised; free of obstructions and concealed spaces accessible, clear lines of sight, and easily supervised; layout does not impede supervision; ADA compliance is preferable</u>			
<u>Windows and doors are secured; locking doors internal to school building and to external areas</u>			
<u>Circulation spaces should be direct, simple, and logical as a wayfinding systems into and through the building; clear directional signs to the main areas of the building and to restrooms</u>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><u>Hallways and common spaces</u></p> <ul style="list-style-type: none"> <li>• <u>Appropriately sized for age of students for efficient and safe movement including handrails in stairwells;</u></li> <li>• <u>Promotes student socialization;</u></li> <li>• <u>Ability to showcase student work and other school announcements;</u></li> <li>• <u>Width of corridors are appropriate for age of students and number of students; lockers in hallways require more hallway space – narrow and congested corridors result in excessive noise, student behavior issues, and increased</u></li> </ul>			
<p><u>Restrooms are sufficient in number and locations are convenient to the various learning spaces with the school</u></p>			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p><u>Lighting controls are easily accessible and controllable: adjustable lighting; artificial, non-harsh lighting</u></p>			
<p><u>Acoustics in entryways, lobby, and corridors minimized to avoid disturbances to classroom learning areas through use of barriers and sound-dampening materials; acoustical separation between instructional areas and restrooms</u></p>			
<p><u>Ventilation and heating/cooling of common spaces and restrooms are appropriate; Ventilation provides good air circulation and quality of air</u></p>			



**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<p>Flooring</p> <ul style="list-style-type: none"> <li>• <u>Lobby flooring should be hard surfaces</u></li> <li>• <u>Entryway floors have walk-off carpets/mats</u></li> <li>• <u>Corridor flooring either resilient flooring or</u></li> <li>• <u>Restroom flooring is hard surface with appropriate drainage</u></li> </ul>			
<p>Walls</p> <ul style="list-style-type: none"> <li>• <u>Entryway walls should be of durable materials, similar to exterior walls</u></li> <li>• <u>Corridor walls are durable material, easily cleaned with high-impact corner guards</u></li> <li>• <u>Tackboards throughout the building</u></li> </ul>			
<u>Electrical power outlets available throughout the corridors</u>			
<u>Doors opening into corridors recessed</u>			
<u>Restroom fixture are appropriate in number and height (sink, toilet); Drinking fountains are available throughout the school and at appropriate heights</u>			

**GENERAL LEARNING SPACES SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Student learning space is easily accessed by students and staff, clean lines of sight, and easily supervised; location and layout do not impede supervision</u>			
<u>Windows and doors are secured; locking doors internal to school building and to external areas (where application such as Kindergarten learning spaces)</u>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Size of learning spaces can accommodate multiple learning activities</u>			
<u>Teacher has workspace area and storage</u>			

Learning spaces have good proximity to restrooms (Kindergarten rooms are directly adjacent to dedicated restroom for grade level)			
Learning spaces have reasonable access to entry/exitways (multiple access for fire safety, access to playgrounds/fields. Kindergarten learning spaces located in a party of the building to allow easy parental pickup and dropoff)			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE</u></b>
<u>Lighting</u> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable; adjustable lighting			
<u>Acoustics</u> within the learning spaces appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces have minimal effects on classroom			
<u>Heating/cooling</u> controls are accessible to keep room temperature at appropriate levels; <u>Ventilation</u> provides good air circulation and quality of the room			
<u>Flexibility and Adaptability</u> of learning space to allow for multiple uses – limited fixed equipment and			
<u>Student personalization</u> including space on the walls and student personal spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Number and placement of electrical outlets allows for use of technology throughout the learning space			
<u>Storage:</u> <ul style="list-style-type: none"> <li>• <u>Student storage space for belongings such as coats and backpacks, Primary grade (K-2) have cubby spaces;</u></li> <li>• <u>Shelving for books and other learning materials</u></li> <li>• <u>Storage for teacher supplies and equipment</u></li> </ul>			

<u>Flooring is appropriate for the learning environment (Kindergarten classroom has mixture of carpet and other "wet area" flooring; restroom flooring is hard surface with appropriate drainage); classroom entrance flooring accommodates clothing and footwear for Wyoming weather</u>			
<u>Wall surfaces allow for display of student work; hard surfaces are easily cleaned</u>			
<u>Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students</u>			

**LIBRARY & MEDIA CENTER SERVICES SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Library &amp; media space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision; Entrance to the room visible from the circulation desk</u>			
<u>Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)</u>			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Size of learning spaces can accommodate multiple learning activities; Space allows for safe, smooth, efficient traffic through the entire area</u> <ul style="list-style-type: none"> <li>• <u>Stacks area</u></li> <li>• <u>Individual and small group activity; separated from large group instruction area</u></li> <li>• <u>Large group instructional area</u></li> <li>• <u>Computer lab/workstations</u></li> </ul>			
<u>Office area for media center specialist; storage of supplies and materials</u>			
<u>One or more entrances from the mail corridor; main entrance preferably double doors</u>			
<u>Direct access between media center and computer lab/workstations</u>			

**ENVIROMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Lighting</u> is mix of natural and artificial lights; as much natural daylight as possible is encouraged; lighting controls easily accessible; adjustable lighting; blinds and blackout capability; separate lighting controls for each learning area			
<u>Acoustics</u> so as to minimize noise within the space as well as limited effects on learning areas outside of the space			
<u>Heating and cooling</u> controls easily accessible; good ventilation and air quality; computer labs should be maintained at 68 degrees			

**UTILITIES, FIXED EQUIPMENT, SURGACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Number and placement of electorcal outlets and data outlets are conveniently accessed in all the learning areas			
Storage <ul style="list-style-type: none"> <li>• <u>Equipment and supplies;</u></li> <li>• <u>Lockable cabinets with adjustable shelves in computer lab;</u></li> <li>• <u>Open adjustable shelving for stacks;</u></li> <li>• <u>Base cabinets around circulation desk for processing activities</u></li> <li>• <u>Wall cabinets;</u></li> <li>• <u>Adjustable shelving behind circulation</u></li> </ul>			
HVAC requirements special for these areas to control temperature			
Storage for large and small equipment and supplies (computers, peripherals, etc.)			

**SPECIAL EDUCATION CLASSROOMS SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision; Access is appropriate for student with special needs (ADA)			
Windows and doors are secured; locking doors internal to school building			

**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Size of learning space can accommodate multiple learning activities, allows for observation of students without directly interfering with learning activities; Space to accommodate large equipment and supplies required to deliver the education program			
Restroom adjacent to classroom; includes shower and changing area; restroom and facilities are appropriately designed to accommodate students with special needs			
Teacher has workspace area and access to accommodate multiple related service activities			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces have minimal effects on classroom			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the room			

<u>Flexibility and Adoptability</u> of classroom space to allow for multiple uses – limited fixed equipment and furniture			
<u>Student personalization</u> including space on the walls and student cubby spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Number and placement of protected electrical outlets allows for use of technology throughout the learning space			
<u>Storage:</u> <ul style="list-style-type: none"> <li>• <u>Cubby space for student belongings:</u></li> <li>• <u>Shelving for books and other learning materials</u></li> <li>• <u>Storage for teacher supplies and equipment</u></li> </ul>			
<u>Flooring</u> is mixture of carpet and other “wet area” flooring; restroom flooring is hard surface with appropriate drainage; classroom entrance flooring accommodates clothing and footwear for Wyoming weather			
Restroom fixture are appropriate height (sink, toilet, drinking fountain)			
Wall surfaces allow for display of student work; hard surfaces are easily cleaned			
Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students			
When appropriate, ceiling supports and other structural supports to accommodate equipment			

**ARTS, PERFORMING ARTS, & MUSIC SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision			
Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)			

Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space			
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**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Size of learning space can accommodate multiple learning activities; appropriate performance space is available			
Teacher has workspace area and storage			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE</u></b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable; adjustable lighting; avoid lighting that produces a 60-cycle hum			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding learning spaces and learning support spaces have minimal effects on classroom; use of lower absorption materials for acoustical treatments; teacher must be able to hear the individual as well as the balance within the ensemble			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the space			
<i>Flexibility and Adoptability</i> of classroom space to allow for multiple uses; moveable/operable walls to divide spaces – limited fixed equipment and furniture			
<i>Student personalization</i> including space on the walls and student display spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Number and placement of electrical outlets allows for use of technology throughout the learning space</u>			
<u>Storage:</u> <ul style="list-style-type: none"> <li>• <u>Student storage space for belongings;</u></li> <li>• <u>Supplies for equipment</u></li> <li>• <u>Storage for teacher supplies and equipment</u></li> </ul>			
<u>Flooring is appropriate for learning environment</u>			
<u>Chalkboards, whiteboards, smartboards, and projector screens are at an appropriate height for students</u>			
<u>Lockable space for supplies storage; Base and wall cabinets in arts space; stacking area for wall</u>			
<u>Sinks with appropriate drainage in arts and music spaces to clean equipment</u>			

**APPLIES LAB LEARNING SPACES (e.g., SCIENCE, CTE) SAFETY, SECURITY, & SUPERVISION**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<u>Student learning space is easily accessed by students and staff, clear lines of sight, and easily supervised; location and layout do not impede supervision</u>			
<u>Windows and doors are secured; locking doors internal to school building and to external areas (where applicable)</u>			
<u>Communication system between classroom and office and outside is sufficient to overcome greater noise levels associated with this space</u>			
<u>Lockable space for supplies storage; lockable space for science chemicals and other hazardous materials</u>			
<u>Health and safety treatment mechanisms are easily accessible, such as eyewash, chemical showers, and first aid kits</u>			



**SPACE APPROPRIATENESS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Size of learning space can accommodate multiple learning activities; Space to accommodate large equipment and supplies required to deliver the education program: Lab stations can accommodate student activities			
Teacher has workspace area			

**ENVIRONMENTAL CONDITIONS**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
<i>Lighting</i> is mix of natural and artificial lighting; artificial, non-harsh lighting; lighting controls are easily accessible and controllable			
<i>Acoustics</i> within the classroom appropriate for the learning space; acoustics of surrounding classrooms and non-classroom spaces learning have minimal effects on classroom			
<i>Heating/cooling</i> controls are accessible to keep room temperature at appropriate levels; Ventilation provides good air circulation and quality of the learning space and chemical storage area			
<i>Flexibility and Adoptability</i> of classroom space to allow for multiple uses; appropriate fixed equipment and furniture			
<i>Student personalization</i> including space on the walls and student storage spaces			

**UTILITIES, FIXED EQUIPMENT, SURFACES, & STORAGE**

<b><u>DEFINING CHARACTERISTICS</u></b>	<b><u>SCORE/ NATURE OF REMEDY</u></b>	<b><u>COMMENTS</u></b>	<b><u>FIRST-ORDER APPROXIMATION OF REMEDY TO IMPROVE FUNCTIONALITY</u></b>
Number and placement of electrical outlets allows for use of technology throughout the learning space			

<p><u>Storage:</u></p> <ul style="list-style-type: none"> <li>• <u>Student storage space for belongings;</u></li> <li>• <u>Supplies for equipment &amp; supplies and other learning materials;</u></li> <li>• <u>Storage for teacher supplies and equipment</u></li> </ul>			
<p><u>Flooring is appropriate for learning environment; classroom entrance flooring accommodates clothing and footwear for Wyoming weather</u></p>			
<p><u>Lab station surfaces appropriate for instructional activities</u></p>			
<p><u>Ventilation systems in lab area to control air quality</u></p>			
<p><u>Wall surfaces allow for display of student work; hard surfaces are easily cleaned</u></p>			
<p><u>Blackboards, whiteboards, smartboards, and projector screens are at an appropriate height for students</u></p>			

**Chapter 9**  
**Implementation of Remedies and Project Management**

**Section 1. Authority.** This Chapter is promulgated pursuant to Wyoming Statutes 21-15-114(a)(xv), 21-15-117, 21-15-118(c) and 21-15-123(f)(v).

**Section 2. Relationship Between the State Construction Department and School Districts.**

(a) Master Memoranda of Understanding (MOU's) and Project Agreements shall be developed to establish the working relationship between the Department and the district.

(i) Master MOUs. The Master MOU defines the duties and responsibilities of the Department and the district for non-capital construction functions, including, but not limited to, major building and facility repair and replacement, facility planning, condition assessments, and annual reporting.

(ii) Project Agreements. Project Agreements define the duties and responsibilities of the Department and the district for construction and renovation of school buildings and facilities, including, but not limited to, determination of the most cost effective remedy, land purchase, design, procurement and construction. No work or disbursement of funds shall proceed on projects until a Project Agreement is executed between the Department and the district. Districts shall not expend any appropriated project funds until authorized by the Director.

(b) Departmental Review. The Department shall review school construction projects for compliance with uniform statewide adequacy standards. This review shall be ongoing throughout the planning, budgeting, design, and construction process.

**Section 3. Program Planning.** Upon determination of the most cost effective remedy, the Department shall develop a detailed scope of the work and estimated budget for the remedy in consultation with the district. The scope of the work and estimated budget shall form the basis of any future budget request. A request to change the scope of the work shall be presented to the Commission along with all financial implications and justification for the change. If approved by the Commission, the Department shall amend the scope of work and estimated budget.

**Section 4. Prototypical Designs.**

(a) To further the concept of value-added projects, the Commission encourages using prototypical designs and prototypical components. When appropriate and feasible to meet the needs of a district, prototypes may shorten design time, simplify value engineering, decrease costs, and increase construction efficiency.

(b) The Department shall maintain a database of school floor plans that districts may consider for re-use.

(c) School districts may consider the use of prototype designs (past designs) from the Department database or other designs that may be available from architects. The district may utilize the services of a design consultant to determine whether prototype designs may be appropriate or whether modifications of prototype plans are feasible to meet the needs of the district.

#### **Section 5. Determination of Delivery Method.**

(a) Projects shall be designed and constructed using the design-bid-build delivery method unless extenuating circumstances exist that necessitate the adoption of an alternate method. District requests for the Commission to approve an alternate design and construction delivery method shall explain the reason(s) an alternate project delivery method is preferable to the design-bid-build delivery method.

(b) The Commission shall consider the following non-exclusive and non-prioritized list of factors in making a determination to allow alternate design and construction delivery methods:

(i) Size and complexity of the remedy;

(ii) Budget and availability of funds;

(iii) Urgency of time;

(iv) Past experience with the delivery method;

(v) Anticipated cost of the possible various delivery methods;

(vi) Market conditions, including access to and availability of personnel to provide design or construction services; and

(vii) District input and recommendations regarding delivery method.

#### **Section 6. Site Analysis and Land Acquisition.**

(a) Requests for land acquisition may originate with a request by a district to the Department or as a Department recommendation. The Commission shall determine if there is a need based on capacity, condition, health, safety, determination of the most cost effective remedy, or the best interests of the State.

(i) Many Wyoming schools pre-date the adoption of current standards. School sites which pre-date the original adoption of standards in 2003 may be larger or smaller than the recommended sizes. School sites smaller than these recommendations are presumed to be adequately sited unless the Commission determines otherwise.

(b) If the Commission determines a need exists, the Commission shall:

(i) Examine availability of current district land;

(ii) If a replacement building or facility renovation or addition, determine if the current site is appropriate;

(iii) If new land is required, consider land swaps and acquisition of publicly-owned land or land in conjunction with a development prior to considering other private land.

(c) If the Commission determines that land acquisition is necessary, the district in consultation with the Department shall conduct an analysis of potential sites or land. Prior to initiating non-confidential site analysis activities the district in consultation with the Department shall obtain a proposed purchase agreement fixing the purchase price and other conditions of purchase, subject to site analysis and due diligence investigation results that are acceptable to the district and Department. Site analysis shall be conducted in accordance and comply with the Commission rules and design guidelines and shall be approved by the Commission. Prior to acquisition the district in consultation with the Department shall conduct a due diligence investigation, which includes the following:

(i) Legal description of property;

(ii) Title commitment;

(iii) Two (2) land appraisals (using the average of two if within 5% of each other, otherwise a 3<sup>rd</sup> appraisal will be obtained and the average of the two (2) closest appraisals will be used);

(iv) Site survey to include soil conditions, traffic patterns, utilities and site topography;

(v) Phase 1 environmental assessment;

(vi) Annexation and zoning issues;

(vii) Local development requirements; and

(viii) Preliminary and final plat.

(d) The Commission may grant a waiver to any of the above due diligence requirements for good cause.

(e) All phases of the land acquisition process shall be kept confidential. Neither the district nor the Commission will divulge information on proposed land acquisitions until such time as all due diligence has been completed and the land purchase price has been negotiated.

## **Section 7. Services and Contracts.**

### **(a) General.**

(i) Districts shall use Commission contracts for capital projects, unless otherwise approved by the Commission and Attorney General's Office.

(ii) Modifications to Commission contracts, including adjustments to further stipulate services and reflect the scope of the particular project, on a project-by-project basis may be submitted to the Department for review and approval in consultation with the Attorney General's Office. Major modifications, as determined by the Department, or alternatives to Commission contracts require approval by the Department, Attorney General's Office, and the Commission.

(iii) Contracts shall be executed by the district and other parties and routed to the Department for its review and approval as to form.

(iv) Contracts modified and executed without the necessary approvals shall not be eligible for State funding.

### **(b) Owner's Representative.**

(i) Owner's representatives are individuals or entities contracted on a project-specific basis to assist the district and State in ensuring the project is managed and completed in accordance with the contracts related to the project.

(ii) The Department shall determine whether an Owner's Representative is necessary, taking into consideration the expense, time, and ability of district and departmental staff.

## **Section 8. Value Engineering.**

(a) Value engineering is a process to achieve the best balance of cost-to-value in projects for districts and the State. In addition to value engineering required by design or construction contracts, the Department shall conduct a value engineering analysis using a collaborative process to objectively consider the best approach to design and construct projects. Value engineering shall include life cycle cost analysis of all major systems in the facility.

(i) Value engineering review shall occur at the schematic design phase (10% Design) and the design documents phase (35% Design) or as otherwise determined by the Department. The design of the facility shall conform to value engineering recommendations before it proceeds into the next phase of development unless waived in writing by the Director.

(ii) The Department shall consider the recommendations of value engineering in assessment of enhancements. Any aspect of a design which does not conform to value

engineering recommendations approved by the Department and proceeds without approval will be deemed an enhancement and will be the sole financial responsibility of the district.

(iii) Value engineering strategies learned on previous projects shall be considered for subsequent projects.

**Section 9. Project Closeout.** Absent extenuating circumstances, fund balances remaining from project budgets that are unencumbered or unobligated are subject to reversion no later than one year after the date of Substantial Completion.

**Section 10. On-site or Off-site Infrastructure.**

(a) On-site or off-site infrastructure includes streets, sidewalks, traffic signals, bike / walk paths, electric, gas, water, sewage systems, storm systems, telephone, data, and other facilities approved by the Commission.

(i) On-site infrastructure solely attributable to the needs of the project and of the capacity required to serve the school facility remedy in accordance with the Commission's design guidelines shall be included in the cost per square foot budget for the building.

(ii) The Department shall budget for the cost of the development of on-site or off-site infrastructure solely attributable to the needs of the project and additional infrastructure costs attributable to shared use.

(b) Requests for on-site or off-site infrastructure to be shared with others shall be made by the district in writing and shall include a full description of the project, including the cost of the proposed infrastructure, the functional capacity properly attributable to the needs of the project, contemplated excess functional capacity, and a dedicated source of repayment.

(i) Requests shall be presented to the Department during the initial planning and budgeting for the proposed project. The Department shall make a determination whether further information, such as design engineering or cost data, is required before the request is presented to the Commission for its consideration as part of its budget recommendation. The district shall notify the affected municipality or local governmental entity of the request and of the time and location at which it will be considered by the Commission.

(ii) Requests will only address infrastructure needed for the school building and facility.

(iii) The Department, in consultation with the Attorney General's Office, shall determine if a contractual agreement is required for cost-sharing, repayment, or operation agreement(s) with the affected parties. Cost-sharing or repayment agreements shall include provisions for reimbursement of departmental expenditures for functional capacity beyond the capacity properly attributable to the needs of the project to be repaid to the Department over time with interest. Amounts repaid shall be deposited by the Department into the school capital construction account.

(iv) The functional capacity needs of school buildings and facilities shall take precedence over the needs of others.

(c) If extensions to municipal or other Department-approved utilities are not available or are cost prohibitive, then on-site systems may be constructed.

(d) The district shall notify the affected municipality or other local governmental entity in writing of Commission action taken related to on-site or off-site infrastructure and reasons for the action.

### **Section 11. Local Enhancements.**

(a) Identifying Enhancements. The district's intent to pursue enhancements shall be brought to the attention of the Department by the district during facility planning or as early as feasible prior to design. Preliminary information shall indicate the nature, scope, cost and schedule of the enhancement. Enhancements shall be identified as:

(i) Inclusion of a design feature(s) which exceeds or fails to comply with the statewide adequacy standards or is not in compliance with recommendations of value engineering.

(ii) Inclusion of additional square footage of school building and facilities which exceeds the total square footage allowed by statewide adequacy standards.

(b) Enhancement Acknowledgement. The district shall request Commission acknowledgment of enhancements to any school building and facility during project or enhancement planning on a form provided by the Department. This documentation shall identify dedicated sources of funding for the enhancement(s), the contractual arrangements and the means intended to account for the costs of the enhancement(s) separate from any Commission funded remedy. If the enhancement is associated with a legislatively-funded remedy, planning and design of the enhancement(s) shall be identified in the most cost effective remedy if an enhancement is contemplated at that time. The Department will include the information in the project agreement. The district's acknowledgment request shall establish the anticipated impact to the design and construction schedule and cost to the legislatively-funded remedy. As the project progresses and information changes, the district shall update the enhancement acknowledgement, which the Department shall then present to the Commission.

(c) Enhancement Cost Allocation. When local enhancements occur in conjunction with legislatively-funded remedies and the cost of those local enhancements become part of a comprehensive school project, the Department shall determine the appropriate method of allocating costs between the enhancement(s) and the legislatively-funded portion of the project. The cost of the enhancement shall include all design and other consultant costs and construction costs attributable to the enhancement. The district shall bear all costs associated with the enhancement. The Department may require that the enhancements be bid separately as an



alternate, that the enhancements be calculated as a percentage of the overall project cost, or a combination thereof, as follows:

(i) When the enhancement is the result of a design preference, it shall be bid as an alternate, the alternate shall include all costs attributable to the enhancement plus all costs for modifications to the legislatively-funded portion of the project that are attributable to the enhancement. Examples include, but are not limited to, additional building height, finishes, or features;

(ii) When the enhancement is the result of additional square footage, the difference between the allowable square footage and the project total square footage shall be computed as a percentage. Project costs will be attributed on the basis of the percentage as identified, or as subsequently revised in the event of a change in the square footage. When changes affect the project that result in additional costs, the costs shall be shared based on this percentage.

(d) Costs associated with leadership in energy and environmental design (LEED) design certification and commissioning will be considered an enhancement and shall be funded by the district.

## **Section 12. Changes to Budgeted Funding.**

(a) In accordance with W.S. 21-15-119(c) and W.S. 28-11-301(c)(iv), budgets for prioritized projects may be adjusted by the Commission and transfers between project phases may be made by the Department.

(b) In the event that any particular project budget is or appears to be insufficient to fully fund that project remedy, the following non-exclusive and non-prioritized list of factors shall be considered by the Department in recommending whether, and how, that project will be allowed to proceed with legislative funding:

(i) Verify value engineering recommendations have been followed;

(ii) Verify aspects of the design of the project to identify cost savings which may be generated within the project. In this regard, all parties shall reexamine earlier assumptions in the search for viable, cost-effective and efficient design changes;

(iii) Verify the scheduling, or phasing, of the project to determine if budgeted funds will be required and cost-savings or cost-deferrals may be obtained by that scheduling. Decision-making shall take into account the funding cycles of the Legislature and the uncertainty of future funding.

(c) If these non-prioritized factors are insufficient to achieve project costs within the project budget, including adjustment for inflation, the Commission shall consider the following additional factors:

- (i) Change of delivery method;
- (ii) Other sources of funding, including funding held by the Commission;
- (iii) Delayed start date of the project;
- (iv) Complete or partial re-planning or re-design of the project.