

## ANALYSIS

### Item 6: Department of Education School Infrastructure

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**Analyst:** Julie Neburka

**Request:** Approve, retroactively, the submission of a federal grant application to the U.S. Department of Education, Office of Elementary and Secondary Education, in the amount of \$5,000,000 over a period of five years to support local education agencies to leverage other federal, state, and local resources to improve school infrastructure.

**Analysis:** Nationwide, school facilities represent the second largest sector of public infrastructure spending, after highways<sup>1</sup>. There is no comprehensive national data source on K-12 public school infrastructure, although a recent survey of the condition of public school facilities conducted by the Government Accountability Office found that about half of the school districts surveyed need to replace or update multiple building systems or features in their schools. Likewise, Oregon lacks a comprehensive database of school facilities. HB 3011 (2021) amended ORS 326.125 to require the Oregon Department of Education's (ODE) Office of School Facilities to administer a statewide (school) facilities assessment. This program, which is currently in the pilot stage, will deliver a comprehensive set of school facilities data that is completely updated every five years, enabling ODE and local districts to prioritize and identify funding for those projects most urgently needed to improve Oregon's public school facilities.

On June 5, 2023, the U.S. Department of Education, Office of Elementary and Secondary Education made \$40 million available nationally through its Supporting America's School Infrastructure grant program. This grant program builds capacity in state education agencies (SEAs) so that they can support high-need local education agencies (LEAs) to leverage available federal, state, and local resources to improve school facilities through public school infrastructure projects. If awarded, ODE will use the grant funds to improve the timeframe for completion of its Statewide School Facilities Assessment program from five years to three. This program is currently underway and includes assessing the condition of all 4,950 school facilities in Oregon. Grant funds will allow the agency to prioritize assessments for high-need LEAs, compile a statewide school facilities condition index more quickly, and begin providing technical assistance to districts sooner than would otherwise have been possible. There is no state match requirement. Grant awards are anticipated to be announced in October 2023. If awarded, the Department will return to the Legislature or Emergency Board to request Federal Funds expenditure limitation for expenditure of the grant funds.

**Recommendation:** The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means approve the request.

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<sup>1</sup> [2021 Report Card for America's Infrastructure](#), American Society of Civil Engineers.

**Request:** Retroactive authorization to apply for a \$5.0 million grant from the United States Department of Education to support schools in leveraging other local, state, and federal resources to improve school infrastructure.

**Recommendation:** Approve the request.

**Discussion:** With the passage of Senate Bill 5513 (2021) and House Bill 3011 (2021), the Legislature repurposed part of the State School Fund carve-out for the School Facilities program and created a new statewide School Facilities Assessment (SFA) program. The Oregon Department of Education (ODE) was granted an additional position in the Office of School Facilities and provided \$3.3 million to hire a third-party contractor to conduct in-depth facility assessments for Oregon's schools. The SFA program was created to conduct district-wide facility condition assessments and deliver comprehensive reports detailing deferred maintenance. The goal of this program is to provide the state and all districts with an up-to-date report that catalogues levels of deferred maintenance and cost estimates, while maintaining a standardized database accessible for Oregon schools. ODE anticipates these assessments will begin in March 2024.

On June 5, 2023, the U.S. Department of Education (DOE) issued a notice for application for the Supporting America's School Infrastructure Grant Program. The purpose of the grant is to increase state capacity for supporting high-need local educational agencies and schools in leveraging other available federal, state, and local resources to improve school facilities and environments through public school infrastructure improvements. The grant application deadline was August 7, 2023, and ODE submitted a 10-day notification letter on July 28, 2023. The Department is seeking retroactive authorization to apply for the grant, which is a five-year, \$5.0 million grant, intended to bolster the work of the recently created SFA program. The grant does not have a cost-sharing or maintenance of effort requirement.

If awarded, grant funds would not be disbursed to districts directly. All funds would be expended at the state level, primarily to provide additional funding for the state's contract with a third-party assessment firm responsible for conducting facility assessments across the state. This additional funding would allow the contractor to significantly shorten the timeline for assessing every school building in the state, allowing districts to receive their assessment data sooner. Additionally, ODE would use a portion of the grant funds to support a limited duration Program Analyst 2 and Research Analyst 2 to assist with the accelerated project implementation and overall data analysis.

Award notification is anticipated in December 2023. If grant funding is received, the Department would likely need to submit a future request to the Legislature for additional Federal Funds expenditure limitation and position authority to implement the grant.



# Oregon

Tina Kotek, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

*Oregon achieves... together!*

**Dr. Charlene Williams**

Director of the Department of Education

**August 21<sup>st</sup>, 2023**

The Honorable Senator Elizabeth Steiner, Co-Chair  
The Honorable Representative Tawna Sanchez, Co-Chair  
Interim Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request**

The Oregon Department of Education, on the behalf of the Office of School Facilities (OSF), is putting forth this letter to requesting retroactive permission to apply for the federal Support America's School Infrastructure (SASI) Grant Program per the notice in the *Federal Register*.

The source of the grant opportunity is the Office of Elementary and Secondary Education, Department of Education. The amount requested is \$5 million. The purpose of the grant is to increase the capacity of States to support high-need local educational agencies (LEAs) and schools in leveraging other available Federal, State, and local resources to improve school facilities and environments through public school infrastructure improvements to ensure that their public school facilities are safe, healthy, sustainable, and equitable learning environments for all students. This will support OSF's mission in assessing Oregon's schools' facilities to ensure that students have healthy, safe, and warm facilities for all Oregon's children to learn. The grant application deadline was August 7, 2023. ODE submitted a 10-day notification to apply letter to DAS CFO and LFO on July 28th, 2023.

### **Action Requested**

ODE-OSF requests the retroactive permission to apply for the above grant in the amount of \$5 million from the Office of Elementary and Secondary Education, Department of Education.

**Legislation Affected**

If approved and funds are received, ODE will be seeking FF limitation.

Sincerely,

A handwritten signature in black ink, appearing to read "C Williams", written over a faint, illegible background.

Dr. Charlene Williams,

Director Oregon Department of Education