
Arkansas Division of Public School



Academic Facilities & Transportation

THE ARKANSAS COMMISSION OF PUBLIC SCHOOL ACADEMIC FACILITIES
AND TRANSPORTAION
TEN YEAR (10) FACILITIES MASTER PLAN
RULE AND REGULATION
November 2005

1.00 REGULATORY AUTHORITY

1.01 This rule is promulgated pursuant to Ark. Code Ann. §§ 6-21-112 et seq. (Act 1327 of 2005), 6-21-801 et seq. (Act 1426 of 2005) and 25-15-204.

2.00 PURPOSE

2.01 The purpose of this rule is to establish a program and process for establishing a format for districts to begin creating ten-year (10) facilities master plans in accordance with State legislation, in an ongoing effort to remediate deficiencies in academic facilities.

3.00 DEFINITIONS

3.01 For purposes of this rule, the following terms mean:

3.01.1 Academic facility – a building or space, including related areas such as the physical plant and grounds, where public school students receive instruction that is an integral part of an adequate education as described in Ark. Code Ann. § 6-20-2302.

3.01.1.1 A public school building or space, including related areas such as the physical plant and grounds, used for an extracurricular activity or an organized physical activity course as defined in Act 660 of 2005 shall not be considered an academic facility for the purposes of this rule to the extent that the building, space, or related area is used for extracurricular activities or organized physical activities courses, except for physical educational

- training and instruction under Ark. Code Ann. § 6-16-132;
- 3.01.1.2 Buildings or spaces, including related areas such as the physical plant and grounds, used for pre-kindergarten education shall not be considered academic facilities for purposes of this rule; and
 - 3.01.1.3 District administration buildings and spaces, including related areas such as the physical plant and grounds, shall not be considered academic facilities for the purpose of this rule.
- 3.01.2 Annexation – the joining of an affected school district or part of the school district with a receiving district under Ark. Code Ann. §§ 6-13-1401 through 6-13-1411.
- 3.01.3 Consolidation – the joining of two (2) or more school districts or parts of the districts to create a new single school district under Ark. Code Ann. §§ 6-13-1401 through 6-13-1411.
- 3.01.4 Custodial activities – routine and renovation cleaning activities related to daily operations and upkeep of academic facilities, including related supervisory and management activities.
- 3.01.5 Facilities distress status – a public school district determined by the Division of Public School Academic Facilities and Transportation as being in academic facilities distress status.
- 3.01.6 Facilities improvement plan – a remedial plan developed by a school district for a public school or school district identified as being in academic facilities distress that supplements the school district’s facilities master plan by:
- 3.01.6.1 Identifying specific interventions and actions the public school or school district will undertake in order to correct deficient areas of practice with regard to custodial, maintenance, repair and renovation activities in the school district; and
 - 3.01.6.2 Describing how the school district will remedy those areas in which the school district is experiencing facilities distress, including the designation of the time period by which the school district will correct all deficiencies that placed the school district in facilities distress status.
- 3.01.7 Facilities master plan – a ten-year plan developed by a school district that contains current enrollment projections and details the school district’s strategy for maintaining, repairing, renovating,

and improving through new construction or otherwise the school district's academic facilities and equipment.

- 3.01.8 Foundation funding – shall have the same meaning as in Ark. Code Ann. § 6-20-2303.
- 3.01.9 Local resources – any moneys generated by a school district for the purpose of funding the school district's share of financial participation in any academic facilities project for which a school district is eligible to receive state financial participation under priorities established by the Division of Public School Academic Facilities and Transportation.
- 3.01.10 Maintenance, repair, and renovation – any activity or improvement to an academic facility and, if necessary, related areas, such as the physical plant and grounds, that:
 - 3.01.10.1 Maintains, conserves, or protects the state of condition or efficiency of the academic facility; or
 - 3.01.10.2 Brings the state of condition or efficiency of the academic facility up to the facility's original condition of completeness or efficiency.
- 3.01.11 New construction – any improvement to an academic facility and, if necessary, related areas, such as the physical plant and grounds, that brings the state of condition or efficiency of the academic facility to a state of condition or efficiency better than the academic facility's original condition of completeness or efficiency. New construction also includes additions to existing academic facilities and new academic facilities.
- 3.01.12 Project – an undertaking in which a school district engages in:
 - 3.01.12.1 Maintenance, repair, and renovation activities with regard to an academic facility;
 - 3.01.12.2 New construction of an academic facility; or
 - 3.01.12.3 Any combination of maintenance, repair, and renovation and new construction activities with regard to an academic facility.
- 3.01.13 Reconstitution – the reorganization of the administrative unit or the governing school board of a school district, including, but not limited to, the replacement or removal of a current superintendent, the removal or replacement of a current school board, or both.
- 3.01.14 School district – a geographic area with an elected board of directors that qualifies as a taxing unit for purposes of ad valorem property taxes under Title 26 of the Arkansas Code and which board conducts the daily affairs of public schools under the

supervisory authority vested in it by the General Assembly and Title 6 of the Arkansas Code.

3.01.15 Space utilization – the number of gross square feet per student in a public school academic facility adjusted for academic program, school enrollment, grade configuration, and type of public school in accordance with rules promulgated by the Commission for Public School Academic Facilities and Transportation.

4.00 ACADEMIC FACILITIES MASTER PLAN PROGRAM – PURPOSE

4.01 The purpose of the Academic Facilities Master Plan Program is:

- 4.01.1 Establish a mechanism for state supervision of school district activities impacting academic facilities and equipment;
- 4.01.2 Develop and continually update information critical to identifying academic facilities needs at the local level across the state; and
- 4.01.3 Allow the state to manage state financial participation in eligible local academic facilities projects.

4.02 The Academic Facilities Master Plan Program shall require each school district to develop a ten-year district wide facilities master plan that shall be approved by the school district's board of directors for submission to and approval by the Division of Public School Academic Facilities and Transportation.

4.03 The districts shall base its facilities master plan on the provisions of the Public School Academic Facility Manual as adopted by the Commission for Public School Academic Facilities and Transportation and on priorities indicated by statewide assessment and other pertinent data specific to the needs of the school district with regard to academic facilities and equipment.

4.04 The district wide facilities master plan shall include, at a minimum, the following:

- 4.04.1 A current inventory of all academic facilities, technology systems, instructional materials, and related academic equipment in the school district;
- 4.04.2 A schedule of custodial activities for each academic facility used by a school district;
- 4.04.3 A schedule of maintenance, repair, and renovation activities for each academic facility used by a school district;
- 4.04.4 Documentation that describes preventive maintenance work for each academic facility and identifies the completion date of the work;

- 4.04.5 Annual expenditures of the school district for all custodial, maintenance, repair, and renovation activities in the school district;
 - 4.04.6 A projected replacement schedule for major building systems in each academic facility;
 - 4.04.7 A plan for caring for and maintaining technology systems, instructional materials, and related equipment in each academic facility;
 - 4.04.8 A projected replacement schedule for technology systems, instructional materials, and related equipment;
 - 4.04.9 Identification of issues with regard to facility and program access to individuals with disabilities and, if necessary, proposed methods for improving access;
 - 4.04.10 Identification of committed projects within the district that includes:
 - 4.04.10.1 As applicable, a breakdown of the portion of each project between maintenance, repair, and renovation and new construction;
 - 4.04.11 Annual expenditures of the school district for capital outlay; and
 - 4.04.12 Description of planned new construction projects with cost estimates for each academic facility, and needs prioritized as set forth in § 4.05 below.
- 4.05 Districts shall submit an initial master plan to identify prioritized needs of the district as follows:
- 4.05.1 The district's initial Master Plan shall be submitted to the Division of Public School Academic Facilities and Transportation by February 1, 2006, with the following needs to be addressed:
 - 4.05.1.1 Immediate needs that the school district intends to address within the next year [July 1, 2006 – June 30, 2007]; and
 - 4.05.1.2 Immediate needs that the school district intends to address during the 2007-2009 biennium; and
 - 4.05.1.3 A general description of the short-term needs that the school district intends to address within the four (4) to six (6) years following the submission of the facilities master plan; and
 - 4.05.1.4 A general description of the long-term needs that the school district intends to address within the seven (7) to ten (10) years following the submission of the facilities master plan.

- 4.06 The initial report shall be submitted to the Division of Public School Academic Facilities and Transportation by February 1, 2007, with the following needs to be addressed, as well as the items listed in § 5.02 below:
 - 4.06.1 Short-term needs that the school district intends to address within the four (4) to six (6) years following the submission of the facilities master plan; and
 - 4.06.2 Long-term needs that the school district intends to address within the seven (7) to ten (10) years following the submission of the facilities master plan.

- 4.07 In addition, as part of and at the same time of the submission of the facilities master plan, the school district shall provide evidence of the following:
 - 4.07.1 Public comments from public hearings regarding the district's facilities master plan; which are to be held in the same locality as the school district.

- 4.08 Evidence of the school district's insurance coverage, including coverage amounts, identification of buildings covered, policy renewal dates, and all riders must be submitted to the Division no later than July 1, 2006.

5.00 SUBMISSION PROCESS

Each school district in the state shall, by the dates listed:

- 5.01 Submit the district's facilities master plan to the Division by February 1 of each even numbered year;

- 5.02 Submit a report to the Division by February 1 of each odd-numbered year that includes:
 - 5.02.1 A description of all completed projects since the most recent submission;
 - 5.02.1 Current enrollment projections;
 - 5.02.2 New or continuing needs of the district with regard to academic facilities and equipment; and
 - 5.02.3 An accounting of any changes to the district's insurance coverage from the most recent submission.

- 5.03 Submit a report to the Division by February 1 of each even numbered year that includes:
 - 5.03.1 A current accounting of all items listed in § 4.04, above; and
 - 5.03.2 Summary of comments made at public hearing.

6.00 DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND
TRANSPORTATION RESPONSIBILITIES

- 6.01 Establish procedures and timelines for submittals of preliminary master plans;
- 6.02 Hold consultation meetings with districts regarding master plans to assure:
 - 6.02.1 Understanding of the general goals of the master plans and reports, and the criteria by which projects will be evaluated;
 - 6.02.2 Discuss ways the master plan may be structured to meet said goals;
 - 6.02.3 Assist districts in preparing accurate budgets and reasonable projects schedules; and
 - 6.02.4 Provide efficiency and productivity in the approval process as to both local academic facilities projects and state financial participation in local projects.

7.00 APPROVAL PROCESS

The Division shall:

- 7.01 Review and approve facilities master plans submitted by February 1, 2006, no later than May 1, 2006, with regard to projects for which the district intends to apply for state financial participation during the fiscal year 2006-2007.
- 7.02 Notify districts no later than July 1, 2006 that the district's application for state financial participation during the fiscal year 2006-2007 in an eligible new construction project has been approved.
- 7.03 Except as provided above, the Division shall review and approve master plans no later than September 1 of each even numbered year and shall notify a district no later than May 1 of each odd-numbered year that the district's application for the upcoming biennium has been approved.