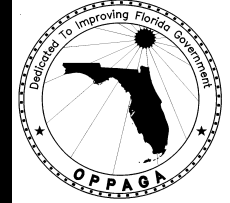




# Office of Program Policy Analysis And Government Accountability



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## Review of the Decentralization of the Educational Facility Construction Review Process

### Report Abstract

- Decentralization reduced state costs by approximately \$2.3 million and reduced the Office of Educational Facilities' workload.
- The early effect of decentralization has been positive for some districts because it expedites the construction process. However, many districts are concerned that decentralization may increase district responsibilities and costs, and may result in inconsistent application of the Uniform Building Code. However, the significance of these potential problems will not be known for four to five years.

### Purpose of Review

The Office of Program Policy Analysis and Government Accountability was directed by the Joint Legislative Auditing Committee to review the Department of Education. As part of our review, we examined the preliminary effects of decentralizing the educational facility construction review process on the Department and the school districts.

Other reports in this series examine the preliminary effects of decentralizing the teacher certification process and the Department of Education's use of resources.

### Background

The Department's Office of Educational Facilities (OEF) and the school districts jointly implement the provisions of the Educational Facilities Act, (Ch. 235, F.S.). The Act requires that all educational facilities comply with the provisions of the Uniform Building Code for Educational Facilities (Uniform Building Code), which is adopted by the State Board of Education. The code is intended to ensure education facilities provide safe, healthy environments in which students' education needs can be met. Facilities built in compliance with the Uniform Building Code are exempt from local building codes, permitting fees, and inspections.

In 1995, the Legislature decentralized the educational facilities construction review process. This decentralization was an effort to move OEF's focus from regulation to technical assistance, provide more local control and decision making authority, increase service efficiency, and decrease duplication. Under decentralization, four major functions were transferred from OEF to the school districts:

- Determining the needs for educational facilities;
- Ensuring facilities comply with the Uniform Building Code for Educational Facilities;
- Inspecting facilities during construction and before occupancy; and
- Ensuring facilities provide healthy and safe educational environments.

See Exhibit 1 for more information on the changed roles of OEF and the school districts.

**Exhibit 1**  
**The Office of Educational Facilities' Role Has Changed**  
**From Regulating the Educational Construction Review Process to**  
**Providing the Districts With Technical Assistance Upon Request**

BEFORE DECENTRALIZATION	AFTER DECENTRALIZATION
<b>OEF's Primary Responsibilities<sup>1</sup></b>	
<ul style="list-style-type: none"> <li>• Conduct district Five-Year Educational Plant Surveys to identify the needs for additional educational facilities, and the needs of existing educational facilities;</li> <li>• Assist in identifying or approving the location of the building sites for new educational facilities;</li> <li>• Review and approve Phase I, II, and III construction plans and documents for all projects costing more than \$200,000 to ensure compliance with the Uniform Building Code;<sup>2</sup> and,</li> <li>• Conduct pre-occupancy inspections to ensure completed facilities meet statutory and regulatory requirements related to the health and safety of occupants, and approve facility for use.</li> </ul>	<ul style="list-style-type: none"> <li>• Train district and K-12, community college and Board of Regent staff to conduct their own surveys, maintain schedule for Five-Year Educational Plant Surveys, and, review (not approve) surveys for accuracy;</li> <li>• Develop educational facility site standards which the local school boards may waive; and,</li> <li>• Review Phase III construction plans and documents at the request of the local school boards and community colleges.</li> <li>• No longer conducts pre-occupancy inspections.</li> </ul>
<b>Districts' Primary Responsibilities</b>	
<ul style="list-style-type: none"> <li>• Assist in the Five-Year Educational Plant Survey; pay for the travel and per diem of survey team members;</li> <li>• Procure educational facilities design and construction services;</li> <li>• Review and approve Phase I, II and III construction plans and documents of projects costing less than \$200,000; and,</li> <li>• Conduct on-site inspections of substantially completed construction projects to ensure proper operation of safety equipment.</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct Five-Year Educational Plant Surveys to identify the needs for additional educational facilities, and the needs of existing educational facilities;</li> <li>• Procure educational facilities design and construction services;</li> <li>• Review and approve Phase I, II and III construction plans and documents. Districts may submit Phase III construction plans and documents for projects costing more than \$200,000 to OEF for review and approval; and,</li> <li>• Conduct on-site inspections of substantially completed construction projects to ensure proper operation of safety equipment. Pre-occupancy inspections are performed by District Uniform Building Code Inspector to ensure completed facilities meet statutory and regulatory requirements related to the health and safety of occupants, and approve facility for use.</li> </ul>

<sup>1</sup> Other responsibilities of the OEF after decentralization include the Florida Inventory of School Houses records; providing training on life safety and indoor air quality codes; uniform building code inspector certification; review of facility maintenance safety and administration; elementary school prototype design; and, plan review and occupancy inspection training. In addition, the Educational Facilities Budgeting Office still administers the Public Education Capital Outlay and Debt Service Trust Fund and the Capital Outlay and Debt Service School Trust Fund.

<sup>2</sup> A Phase I document illustrates the proposed facility's space size and location. A Phase II document is a Phase I document that also includes the mechanical components of the facility. Final construction documents and blueprints are Phase III documents.

Source: Compiled by the Florida Legislature, Office of Program Policy Analysis and Government Accountability, based on information provided by the Department of Education..

OEF's operating expenses are paid by the Public Education Capital Outlay and Debt Service Trust Fund, which is comprised of the proceeds and interest from the sale of public education bonds and a portion of the gross receipts tax paid by utility companies, and the Capital Outlay and Debt Service School Trust Fund which receives a portion of the proceeds collected from motor vehicle registration. These funds are also used to build, improve, equip or maintain educational facilities in the school districts

## Findings

### Decentralization Effects on the Department

**Decentralization has reduced state costs by approximately \$2.3 million and reduced the Office of Educational Facilities' workload.**

Decentralizing the educational facilities construction review process reduced OEF's staff and decreased state costs by approximately \$2.3 million. In fiscal year 1994-95 (before decentralization), OEF had 72 FTEs and expenditures of \$4.12 million. In fiscal year 1995-96 (after decentralization) OEF had only 26 FTEs and spent only \$1.86 million.<sup>1</sup>

Decentralization also reduced OEF's workload and the amount of time necessary to review construction documents. For example, in fiscal year 1994-95, OEF reviewed 498 Phase III construction documents for compliance with the Uniform Building Code. After decentralization (fiscal year 1995-96) OEF reviewed 247 Phase III construction documents for compliance as a courtesy for districts. This enabled OEF to reduce the amount of time taken to review these documents from an average of 26 days to 19 days.

However, this workload reduction may not be fully due to decentralization. OEF staff noted that districts were constructing relatively few facilities in fiscal year 1995-96 because of a decline in revenues available for educational facilities and a change in the types of facilities needed to accommodate changes in student populations.<sup>2</sup> Also, in fiscal year 1995-96, districts

<sup>1</sup> Eighteen of OEF's positions perform the duties discussed in this report. The remaining eight FTEs are in OEF's budgeting office within the Office of the Deputy Commissioner for Planning, Budgeting, and Management. These staff determine the distribution of Public Education Capital Outlay and Debt Service Trust Fund moneys.

<sup>2</sup> The educational facilities built during the 1994-95 fiscal period were smaller, less expensive facilities (such as elementary schools). The facilities built during the 1995-96 fiscal period were larger, more expensive facilities such as middle and high schools.

were authorized to extend the length of time they can take to commit construction funds from 19 to 36 months. Therefore, the number of construction documents received by OEF will likely increase in the future.

### Decentralization Effects on School Districts

Decentralization has had mixed impacts on school districts. To identify these effects, we interviewed educational facilities staff in 20 districts.<sup>3</sup> We determined that decentralization has had positive effects by expediting the construction process. However, many districts are concerned that it may increase local responsibilities and costs, and may result in inconsistent application of the Uniform Building Code.

**Decentralization can expedite the construction process.**

Some districts we contacted (eight) reported that decentralizing the review of construction documents has speeded up the educational facility construction process. Prior to the decentralization, districts were required to submit all construction plans and documents for projects costing more than \$200,000 to OEF for review to ensure compliance with the Uniform Building Code. Districts reported that this review took time from the construction process. Prior to decentralization, OEF took an average of 66 days to review construction documents. District staff in Orange County indicated that their local review takes only 30 days, which is a 36-day savings. This time savings can enable districts to meet construction deadlines and open facilities in time for a new school year.

**Many districts are concerned that decentralization increased district workload and costs.**

Many of the districts we contacted (15) expressed concern that decentralization has or will increase local workload and costs. District staff cited two areas of potential increased costs - reviewing construction documents, and conducting Five-Year Educational Plant Surveys.

Districts expressed concern that their current staffing levels are insufficient to meet their responsibilities to review construction documents. No districts reported hiring new staff to perform functions previously done by OEF, and 14 districts indicated that they do not have

<sup>3</sup> We interviewed district staff in 20 districts: 7 small districts (student populations less than 10,000 unweighted FTEs), 7 medium districts (student populations of 10,000 to 100,000 unweighted FTEs), and 6 large districts (student populations greater than 100,000 unweighted FTEs).

the funds to hire the additional staff necessary to carry out these new responsibilities. To address this problem, many districts still rely on OEF to review some of their construction documents.

Some districts also reported higher costs to perform Educational Plant Surveys. Each district must conduct these surveys every five years to identify their educational facilities needs. The eight districts that performed these surveys in fiscal year 1995-96 contracted with private companies and reported spending \$20,000 more than they likely would have if OEF had performed the studies.

While decentralization may increase local costs, it has saved \$2.3 million in state costs. Thus, decentralization has likely produced substantial net savings.

**Districts expressed concern that eliminating OEF's independent review of construction plans may result in inconsistent application of the Uniform Building Code.**

Eleven districts we contacted expressed concern that without OEF's independent review, the Uniform Building Code may not be consistently interpreted and applied across the state. The Uniform Building Code is intended to ensure educational facilities provide a safe and healthy educational environment. Districts noted that some local school district facilities staff may not accurately interpret or implement the Uniform Building Code. To compensate for this, many districts are continuing to submit construction documents to OEF for voluntary review; 53 districts submitted documents to OEF during fiscal year 1995-96. OEF also offers optional training on the Uniform Building Code to district staff as part of its technical assistance responsibility. Additionally, districts expressed concern that due to the need to meet construction deadlines and budgets, local staff could be pressured to approve building plans that do not strictly adhere to the Uniform Building Code or open facilities that are not ready. No districts reported that such problems have occurred. We note that architects and engineers are required to be registered with the state, which helps ensure that facility designs are safe and comply with the Uniform Building Code. The significance of the inconsistent application

of the Uniform Building Code will not be known until the educational facilities being built under local control are four to five years old.

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## Conclusions and Recommendations

Decentralizing the educational facility review process has saved \$2.3 million at the state level and has streamlined the construction process. The 20 districts we contacted generally stated that decentralization expedited the construction process, but expressed concerns that it has increased their responsibilities and costs and could result in inconsistent application of the Uniform Building Code.

The full impact of decentralization will not be known for several years, until the educational facilities now being built under local control are four to five years old. At that time, construction problems may result in maintenance and other problems.

To better gauge the long-term impact of decentralization, we recommend that the effect of decentralizing OEF be reevaluated in four years. We also recommend that the Department offer uniform building code training for architects and/or engineers who review educational facility plans and documents. This will help ensure consistent and uniform application of the Uniform Building Code.

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## Agency Response

The Commissioner of Education stated the Department believes that the existence of one “. . . code, which contains specific requirements statewide, should ensure consistency.” He also stated that “[p]roblems would be a result of inadequate maintenance and not changes in review or inspection personnel.”

This project was conducted in accordance with applicable evaluation standards. Copies of this report may be obtained by telephone (904/488-1023 or 800/531-2477), by FAX (904/487-3804), in person (Claude Pepper Building, Room 312, 111 W. Madison St.), or by mail (OPPAGA Report Production, P.O. Box 1735, Tallahassee, FL 32302).

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