

---

---

## STEM PROGRAM GUIDELINES

---

**Subject:** STEM

**Approval:** Commission Resolution 17-04

**Code Section/Reference:** ORC 3318.70, 3318.71

**Owner:** Planning

**Policy Number:** PL-09

**Originally Issued:** May 24, 2012

**Revised:** October 25, 2012; October 2015;  
October 26, 2017

---

### APPLIES TO

---

STEM (Science, Technology, Engineering, and Mathematics) schools established under Section 3326 of the Revised Code not governed by a single school district board of education, and a group of city, exempted village, or local school districts that are part of a qualifying partnership of a career-technical education compact (“Qualifying Partnership”) and have entered an agreement for joint or cooperative establishment and operation of a science, technology, engineering, and mathematics education program under R.C. Section 3313.842.

---

House Bill 153 of the 129th General Assembly authorized the Commission to provide funding to assist STEM schools in the constructing, reconstructing, repairing, or making additions to classroom facilities. House Bill 64 of the 131st General Assembly authorized the Commission to provide funding to assist a Qualifying Partnership that has entered an agreement for the joint establishment and operation of a STEM program in the constructing, reconstructing, repairing, or making additions to classroom facilities.

The STEM school or the Qualifying Partnership must secure at least 50 percent of the total cost from other funds pledged. Under no circumstances will the Commission be responsible for more than 50% of the Project Costs.

#### **I. Eligibility**

To be eligible to apply for this program, a school must be either:

- A. A STEM school that is not governed by a single school district board of education, as prescribed by Ohio Revised Code (R.C.)Section 3326.51; or
- B. A STEM school that is governed by a governing body of a group of STEM schools, as prescribed by R.C. Section 3326.031.
- C. A group of city, exempted village, or local school districts that are part of a career-technical education compact and have entered an agreement for joint or cooperative establishment and operation of a science, technology, engineering, and mathematics education program under R.C. Section 3313.842. The aggregate territory of the school districts composing a qualifying partnership shall be in two adjacent counties, each having a population greater than forty thousand, but less than fifty thousand, and at

---

least one of which borders another state.

## **II. Project Consideration**

The Commission, in accordance with R.C. Sections 3318.70 and 3318.71, shall provide funding to assist a STEM school or a Qualifying Partnership in the acquisition of classroom facilities. In accordance with Section 3318 of the Revised Code, a STEM school cannot segment a project, and therefore cannot make multiple funding requests.

Eligible schools under this policy shall be funded at the first available funding opportunity in which funds are available after serving lapsed districts as set forth in R.C. Section 3318.054. The Commission can use up to two percent of the aggregate amount appropriated to it for the classroom facilities assistance projects or fund at least one eligible project per year, when applicable.

The Commission, in accordance with R.C. Section 3318.031, shall consider student and staff safety and health when reviewing design plans for STEM classroom facility construction projects proposed under these guidelines. The Commission may require as a condition of project approval such changes in the design plans as the Commission believes will advance or improve student and staff safety and health in the proposed classroom facility. The STEM school or Qualifying Partnership shall provide either a suitable building site or a facility that, once renovated with the inclusion of state dollars provided by the Commission, will meet all current Ohio building code requirements. No state dollars will be allocated for the building site, including addressing any unforeseen conditions on the site or in the existing structure.

The Commission will apply the Ohio School Design Manual (“OSDM”), LEED for Schools standards, and commissioning where practicable. The Commission will work with a STEM school or Qualifying Partnership to develop a Facilities Master Plan that will identify the scope of the proposed project based upon enrollment data and educational delivery methods. A Commission-approved maintenance plan will be required at the completion of the project including providing the source of funding for the maintenance plan.

## **III. Additional Project Considerations**

No STEM school that receives assistance under R.C. Sections 3318.70 or 3381.71 shall have another project conditionally approved until the expiration of twenty years after the STEM school’s project was conditionally approved.

The Commission will be providing a one-time lump sum funding for the STEM school applicant. During the project, there will be no additional funding or budget adjustment provided except in situations where the health and safety of the students will be compromised. The issue of health and safety is a discretionary determination by the Commission. In situations where additional funding is provided by the Commission to address a health and safety issue, the Commission will only fund 50% of the additional cost.

The STEM applicant will not be allowed to use a segmented approach to seek Commission funding. For example, A STEM school will not be able to renovate half of an existing building under one Project and then renovate a second part of the building under another Project. While the Commission will provide one-time lump sum funding for the Project, the funding will be issued on a drawdown basis during the Project on a schedule agreed to by the STEM school and the Commission. Funding provided by the Commission will be considered on a per pupil basis and will be consistent with funding provided to school

---

district participants in other Commission programs. Specifically, funding provided by the Commission will provide for compliance with square footage and cost requirements set forth in the OSDM.

The Commission will mandate that each proposed Project presented to the Commission include appropriate funding as set forth in the statute. Included in the proposed funding for the Project shall be an appropriate amount set aside for contingency for the Project, typically 10 percent. This amount shall also include a contingency amount for the design professional. Any variation from the contingency amount of 10 percent will be supported by the materials submitted by the STEM applicant. The STEM applicant may determine to totally fund the 10 percent contingency, and if the STEM applicant elects to totally fund the contingency, it will be treated as an LFI as set forth in the Project Agreement. However, the STEM applicant must present evidence of the available funding for the Contingency at the time the Project is submitted to the Commission for approval.

If the Project, through the course of procurement, realizes bid day savings, the Commission may approve the use of any savings for additional scope if the following conditions are met:

1. The applicable scope of work would be subject to funding under the Classroom Facilities Assistance Program; and
2. The applicable scope of work is compliant with the OSDM; and
3. The additional scope of work is to be performed after a substantial portion of the Project is completed. For the purposes of these guidelines, seventy-five percent (75%) constitutes a substantial portion; or
4. The Contingency discussed previously remains intact and cannot be adjusted to recognize the bid day savings.

If, after completion of the Project, there are Project funds remaining, the funds shall be divided between the Commission and the STEM School in proportion to its contribution to the Project as set forth in the Project Agreement executed by the Parties. Once the Project has achieved Final Contract Completion, the Ownership interest in the Building/Project will cease to exist, except in situations where the STEM school stops operating and must turn over the building to the State. Any remaining funds after Final Contract Completion must be returned to the State and the STEM school within 90 days.

#### **IV. Commission Participation in the Project**

The Commission will assign a Planner and a Project Manager to assist the STEM school in the Project:

1. The Planner will assist in determining the suitability of the building proposed by the STEM school.
2. The Project Manager will offer guidance during the project at the discretion of the Commission as follows:
  - i. The project is treated as a traditional CFAP for project manager involvement; or
  - ii. The project manager provides limited oversight during the construction phase.
  - iii. Any other amount of involvement as determined by the Commission
3. The STEM school will be required to use contract documents created by the Commission.

- 
4. The STEM school will be required to use Project construction management software designated by Commission.
  5. The project must be constructed in accordance with R.C. Chapter 153 including selection of the design professional and contractors.
  6. The Project is subject to an audit initiated by the Commission.

**V. Process for Project Approval**

- A. The governing body of a regional STEM school or a Qualifying Partnership submits a written proposal to the Commission to request funding consideration. In the case of the governing body of a group of STEM schools, as prescribed by R.C. Section 3326.031, the governing body shall submit a written proposal for each school under its direction separately, and the Commission shall consider each proposal separately. The request will be submitted in a form and manner designated by the Commission. The written proposal must include:
  1. Governing Board contact information;
  2. A history of student enrollment data for the last three years and staffing data. In addition, each application must submit enrollment information for all districts in the governing body;
  3. An overview of the school or Qualifying Partnership's STEM educational program;
  4. A description of any existing facilities, including whether the facilities are owned or leased by the STEM school or Qualifying Partnership, if applicable;
  5. An assessment of the existing facility;
  6. A detailed project rationale; and,
  7. The total amount of funding requested from the Commission and the amount of other funding pledged for the acquisition of classroom facilities.
- B. Following receipt of the written proposal, Commission staff will review the proposal. The review criteria include:
  1. Does the proposal meet statutory and guideline requirements?
  2. Has all required information been submitted?
  3. Will the project address the school or Qualifying Partnership's educational program within the Commission's policies and practices?
  4. Is the project affordable within both Commission and other pledged resources?
  5. How will the STEM school impact enrollment of participating districts?
  6. Does enrollment data submitted on applications justify the proposed project?  
The STEM school must submit justification for higher projected enrollments.
- C. The Executive Director will be provided information about the Project, including the review by Commission staff, to determine whether the funding request should be submitted to the Commission for approval. The Executive Director will notify the STEM school or Qualifying Partnership in writing if the request has been denied for any reason.
- D. Once the project has received Commission approval, the project will be submitted to the Controlling Board for approval. If the Controlling Board approves the funding, the Commission will enter a project agreement with the governing body of the STEM school or the Qualifying Partnership for the acquisition of the classroom facilities. The

---

agreement must include a stipulation of the ownership of the classroom facilities in the event the STEM school or qualifying partnership of a career-technical education compact permanently closes at any time. Prior to entering an agreement, the availability of the local matching funds must be certified by the STEM school or Qualifying Partnership's treasurer or fiscal officer of the governing board or previous expenditure of local matching funds must be documented as required by the Commission.