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OHIO FACILITIES CONSTRUCTION COMMISSION

Ohio School Facilities Commission
April 28, 2016 Meeting
William McKinley Room, Statehouse
1:30 PM

MINUTES

Chairman Keen called the meeting to order at 1:32 PM.

Roll Call

Members present: Chairman Keen, Vice Chair Blair, Dr. Lonny Rivera, Representative Ramos, Representative Smith, Senator Manning and Senator Sawyer.

Adoption of the January 28, 2016 Meeting Minutes

Dr. Rivera moved to approve the January 28, 2016 meeting minutes.
Chairman Keen seconded the motion.
Approval: Vote 3-0.

Adoption of the March 29, 2016 Meeting Minutes

Dr. Rivera moved to approve the March 29, 2016 meeting minutes.
Chairman Keen seconded the motion.
Approval: Vote 3-0.

STEM School Facilities Assistance Project Agreement Template Approval – David Chovan – *Resolution 16-13*

David Chovan presented the STEM School Facilities Assistance Project Agreement template for Commission approval. ORC Chapter 3318 authorizes the Commission to provide funding assistance to STEM schools for classroom facilities. The Commission is required to enter into an agreement with the governing body of the STEM school. A project agreement template is used as the basis for our agreement with a STEM school. We are proposing some minor changes to the template: expand the claw back provision to account for a facility that is no longer used for public educational purposes; removed language included in K-12 agreement templates that do not pertain to STEM schools – no provision in ORC for budget increases and facility disposal laws for K-12 not applicable to STEM and amended language to conform to recent changes

made in other program agreement templates – use of OAKS CI (the state's construction management IT tool) and use of the same accounting process and system as the K-12 schools.

Chairman Keen moved to approve Resolution 16-13.
Dr. Rivera seconded the motion.
Approval: Vote 3-0.

Accelerated Urban School District Amendments Approval – Melanie Drerup –
Resolution 16-14 and Resolution 16-15

The Commission approved a Master Facilities Plan in 2002 for the Cleveland Metropolitan School District for $1.51 B divided into 9 segments for 111 buildings to house 72,500 students. The Commission has approved 7 segments to date. The Commission amended the Master Facilities Plan in 2014 for 32,443 students. The projected enrollment is now 36,330, an increase of 3,887.

Resolution 16-14 Cleveland Segment 6, Amendment 5

Melanie Drerup presented the Cleveland Metropolitan School District Segment 6, Amendment 5 for Commission approval. The previously amended Segment 6 agreement provided $27.8M for construction of 1 building and abatement and demolition of 16 buildings. The proposed amendment moves the allowance for abatement and demolition of HW Longfellow Accelerated Elementary and Jesse Owens Academy-Cleveland Learning Center from Segment 6 to Segment 7. The Cleveland segment 6 budget is decreased by $629,539 for an updated budget of $27.2 M.

Dr. Rivera moved to approve Resolution 16-14.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Resolution 16-15 Cleveland Segment 7, Amendment 1

Melanie Drerup presented the Cleveland Metropolitan School District Segment 7, Amendment 1 for Commission approval. The Segment 7 agreement provided $161.4M for construction of 9 buildings and abatement and demolition of 7 buildings. The proposed amendment adjusts the enrollment at all 9 buildings. adds an allowance for abatement and demolition for 4 buildings (Oliver Hazard Perry, Sunbeam, Watterson-Lake elementaries and Whitney M Young Middle School) and moves the allowance for abatement and demolition of 2 buildings to segment 7 from segment 6 (HW Longfellow Accelerated Elementary and Jesse Owens Academy-Cleveland Learning Center). The Cleveland segment 7 budget is increased by $22.9 M for an updated budget of $184.4 M

There are additional segments being planned for Cleveland which will be brought to the Commission at a later date. The estimated budget for the remaining segments is $203M.

Chairman Keen asked how many more segments were there. Ms. Drerup responded that there were at least two more.

Vice Chair Blair moved to approve Resolution 16-15.
Dr. Rivera seconded the motion.
Approval: Vote 3-0.

Fiscal Year 2016 Projects Approval – Melanie Drerup

CFAP Approval – *Resolution 16-16*

Melanie Drerup presented the Master Facilities Plan for one school district for the Classroom Facilities Assistance Program for Commission approval.

School District	County	State Share	Local Share	Total Budget
Rolling Hills LSD	Guernsey	$24,528,625	$16,352,416	$40,881,041

Dr. Rivera moved to approve Resolution 16-16.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

CFAP Amended Approval – *Resolution 16-17*

Melanie Drerup presented a Classroom Facilities Assistance Program amended project for one school district for Commission approval. The Southwest LSD project was originally approved at the July 2015 Commission meeting for a complete fix. Since the time of the original approval the district has determined through a community engagement process that the community prefers to segment their project.

School District	County	State Share	Local Share	Total Budget
Southwest LSD – Seg. 1	Hamilton	$14,711,471	$41,871,110	$56,582,581

Chairman Keen asked what they were proposing for their Segment 1. Melanie Drerup responded that they proposed a new middle school to house Grades 6-8, renovations to their high school to house Grades 9-12 and Career Technical, and abate/demolish one building. Chairman Keen asked that under current law the segment would have to be at least 2% of their evaluation and they could have done just the middle school or just the high school as opposed to both segments. Ms. Drerup responded that was correct.

Dr. Rivera moved to approve Resolution 16-17.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

CFAP Lapsed Approval – *Resolution 16-18*

Melanie Drerup presented two school districts with a lapse of one-year certification for participation in the Fiscal Year 16 Classroom Facilities Assistance Program for Commission approval.

Carrollton utilized ORC 133.06(H) allowing the district to incur debt without a vote of the people to pay the cost of permanent improvements. Fostoria was successful at the November 2015 election.

School District	County	State Share	Local Share	Total Budget
Carrollton EVSD – Seg. 1	Carroll	$9,775,450	$14,067,112	$23,842,562
Fostoria CSD	Seneca	$41,576,718	$5,138,695	$46,715,413

Dr. Rivera moved to approve Resolution 16-18.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

CFAP Reapproval – *Resolution 16-19*

Melanie Drerup presented a Classroom Facilities Assistance Program reapproval project for Commission approval. The Euclid Board of Education did not accept the Resolution of Acceptance within 120 days as required by ORC Section 3318.05. The district has requested reapproval of the conditional approval of the project approved by Commission on October 22, 2015. The project scope and estimated costs established will be valid for thirteen months from the original certification of approval dated November 10, 2015.

School District	County	State Share	Local Share	Total Budget
Euclid CSD – Seg.2F	Cuyahoga	$39,891,191	$57,404,396	$97,295,587

Dr. Rivera moved to approve Resolution 16-19.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Design Manual Update Approval – William Ramsey – *Resolution 16-20*

William Ramsey presented the 2016 updates to the Ohio School Design Manual (OSDM) for Commission approval. The formal update began in January of 2016 and the final changes will be completed this month. There were no major changes to the materials and building systems sections of the manual as there have been both minimal requests for variances and requests by vendors/design professionals for inclusion to the manual. The Update team has begun a yearlong effort to review and revise the technology section of the manual. Realignment of the career tech programing section of the manual are in the process to conform to recent ODE changes. When completed, this section will be easier for districts and designers to navigate the guidelines for development of career tech spaces within schools. OSFC worked with construction professionals and received input from the broader design and construction community to review current market conditions and regional costs. As a result of this review, no changes were made to the assessment cost guidelines, and non-construction cost percentages. The allowances for swing space and reprogramming were reviewed and no changes were made based on current market pricing. Regional cost factors were adjusted to reflect current market conditions throughout the state. An inflation factor for 2016 of 1% was applied to the budget costs. As in past years, we worked with IHS Global Insight to determine the annual inflation factor. The data

presented by IHS, combined with field interviews and discussions with the design and construction industry lead us to conclude that an inflation factor of 1% should be applied to project costs in 2016.

Vice Chair Blair asked what percentage of schools used wireless versus wired. Mr. Ramsey deferred the question to Melanie Drerup. Ms. Drerup responded the design manual has provided for wireless and also had provisions for direct wired computers and the wireless is not only within the building, but the areas around the building. Chairman Keen asked when wireless was added to the design manual. Mr. Ramsey responded in the last 7 – 8 years and probably every school that has been given the opportunity puts wireless in since that point. We can get the percentage of wireless versus wired to you.

Dr. Rivera moved to approve Resolution 16-20.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Master Facilities Plan Amendment - *Resolution 16-21*
William Ramsey presented amendments to the Master Facilities Plan for three school districts for Commission approval.

School District (County)	Recommended Modifications to the Master Facilities Plan	Recommended Modifications to the Project Budget
Lake LSD (Stark) Amendment 1	The project budget has been decreased to delete a LEED allowance for the Uniontown Elementary School.	($164,779) State Share ($185,815) Local Share **($350,594) TOTAL**

School District (County)	Recommended Modifications to the Master Facilities Plan	Recommended Modifications to the Project Budget
North Central LSD (Williams) Amendment 1	The project budget has been increased due to market conditions and for the design and construction work required to build one new middle/high school to house Grades 7-12 to meet minimum Design Manual standards.	$307,829 State Share $307,828 Local Share **$615,657 TOTAL**

School District (County)	Recommended Modifications to the Master Facilities Plan	Recommended Modifications to the Project Budget
Reynoldsburg CSD (Franklin) Amendment 1	The project budget has been decreased to delete a LEED allowance for: Taylor Road ES, Baldwin Junior/High and Reynoldsburg HS.	($262,964) State Share ($348,579) Local Share **($611,543) TOTAL**

Dr. Rivera moved to approve Resolution 16-21.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

ELPP Master Facilities Plan and Project Agreement Approval – *Resolution 16-22*
William Ramsey present one ELPP Master Facilitates Plan and Project Agreement for Commission approval.

School District (County)	Project Scope	Project Budget	
Northwest LSD (Hamilton)	• Build 3 new ES to house Grades PK-5 • Build 1 new ES/MS to house Grades PK-8 • Renovate 1 ES, 2 MS, 2 HS and CT • Abate/Demolish 7 ES, 1 MS and Abandon 1 ES	$45,657,335	State Share
		$161,876,004	Local Share
		$207,533,339	**TOTAL**

Dr. Rivera moved to approve Resolution 16-22.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

ELPP Master Facilities Plan Amendment and Project Agreement Amendment Approval *Resolution 16-23*

Bill Ramsey presented a Master Facilities Plan Amendment and a Project Agreement Amendment for Commission approval.

Master Facilities Plan Amendment:

School District (County)	Project Scope	Project Budget	
Southwest Licking LSD (Licking) Amendment 2	•Budget increase due to enrollment, renovation scope and 2015 OSDM at 5 buildings •Build one new ES to house Grades PK-5 •Provide allowance for abatement and demolition	$4,265,197	State Share
		$5,213,018	Local Share
		$9,478,215	**TOTAL**

Project Agreement Amendment:

School District (County)	Discrete Scope Change	Total Amendment Cost Change	Total Revised Project Budget
Southwest Licking LSD (Licking) Amendment 2	• Project closed and ELPP credit established for Kirkersville ES, Pataskala ES, and Watkins Memorial HS • Building to be taken out of service at Watkins MS • Asbestos abatement and demolition of the 1914 addition at the Kindergarten Center	($1,167,047)	$3,013,313

Dr. Rivera moved to approve Resolution 16-23.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Settlement Agreement Approval – Matt Westerman – *Resolution 16-24*

Matt Westerman presented a settlement agreement with Ohio Casualty and related parties on the Arcanum Butler Local School District project for Commission approval. Lend Lease served as the construction manager, Fanning/Howey served as the architect, Kenny Huston Company was the masonry contractor, Snyder Concrete Products, Inc. was the supplier of the block and Van Poppelen Brothers, Inc. was the manufacturer. During the Project, the General Trades Contractor, Kenny Huston Company (Huston), had responsibility for the installation of masonry

block on the Project. The masonry block provided by Huston was defective and resulted in excessive efflorescence on the masonry block, which ultimately required replacement of the entire facilities facade. OSFC and the District initiated litigation against Huston's surety, Ohio Casualty Insurance Company, as Huston is now out of business. Ohio Casualty added Huston's subcontractors and suppliers, as well as the CM, Architect, and the contractor in charge of the roofing. After mediation, the parties reached a settlement whereby OSFC and the District will receive $2,250,000 from the surety and the other parties in exchange for a partial release of claims.

Vice Chair Blair asked if school was in session when the remediation occurred. Mr. Westerman responded that Arcanum Butler LSD scheduled the actual remediation over 2 summers. The second round of construction started during the school year, so there was some inconvenience, but since it is all exterior we have been able to keep the school in full session.

Dr. Rivera moved to approve Resolution 16-24.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Settlement Agreement Approval – Matt Westerman – *Resolution 16-25*

Matt Westerman presented a settlement agreement and partial release of claims with Buehrer Group Architecture & Engineering, Inc. on 3 schools in the Jefferson Area Local School District project for Commission approval. The 3 schools experienced issues with the roof systems leading to ice damming and large ice formations along the exterior soffit areas of the steep slope roofing system. It was determined that a portion of the defects resulted from the design by Buehrer Group Architecture & Engineering, Inc. and led to the need for remediation of the Jefferson roofs. OSFC and the District initiated litigation against the Buehrer Group, in addition to other responsible parties. The Buehrer Group and its insurer mediated the claim with the District and OSFC and the parties reached a settlement whereby the Buehrer Group agreed to pay OSFC and the District $1.75 million in exchange for a partial release of claims. The Buehrer Group settlement agreement does not release any other parties or any latent defects from Buehrer Group's responsibility.

Dr. Rivera moved to approve Resolution 16-25.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Settlement Agreement Approval – Matt Westerman – *Resolution 16-26*

Matt Westerman presented a settlement agreement and mutual release with Fanning/Howey Associates, Inc. on the Maple Heights City School District project for Commission approval. This resolution concerns a proposed settlement with the architect on the Maple Heights City School District high school project. Fanning/Howey served as the architects on the project. We brought a resolution to you at the last meeting and it involved the mold related issue at the Maple Heights High School where we experienced mold as a result of the failure of the spray on installation to dry out and it stayed wet for a period of time. Mold formed and we had to shut down. The project was delayed for over 6 months. As a result, the architect was on the job for 7

months. Fanning/Howey submitted a request for additional compensation as a result of that time extension. The Commission and the District disputed the amount of compensation requested. The parties have come to an agreement where Fanning/Howey has been paid the remaining balance on the project of the underlying contract with no additional compensation. The settlement is a resolution of that dispute and does provide a limited release to Fanning/Howey.

Dr. Rivera moved to approve Resolution 16-26.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Settlement Agreement Approval – Matt Westerman – *Resolution 16-27*

Matt Westerman presented a settlement agreement and mutual release with Ferguson Construction Company on the St. Mary's Local School District project regarding the issue of efflorescence that could not be removed for Commission approval. Ferguson was the masonry contractor. Fidelity supplied the masonry block. Van Poplin Brothers, the company to fault for the manufacturing of the defective block did go out of business. The parties participated in two days of mediation. OSFC and the District reached a settlement with Ferguson and its subcontractors and suppliers for $950,000. The settlement agreement does provide a limited release to all parties with the Commission and the District retaining rights as to latent defects.

Dr. Rivera moved to approve Resolution 16-27.
Vice Chair Blair seconded the motion.
Approval: Vote 3-0.

Executive Director's Report

Director Williamson reported since the last meeting there were 3 school dedications and 5 projects that were closed. There were 3 projects that were initiated under the School Performance Contracting program (HB264). Director Williamson also reported on contracts executed since the last meeting: 26 agreements, 15 amendments, 6 locally funded initiatives for a total of $89.7M.

Chairman Keen asked if these were all project related contracts, particularly the professional design contracts. Craig Weise responded that the professional design contracts are for projects and were sought through requests for qualifications. The consultants are another method for procuring those professional services and were through a pre-qualified list of vendors that are pulled for projects.

Director Blair asked for the breakdown on GC single and multiple prime. Craig Weise responded that this category groups together both general contracting and multiple prime. The 11 agreements were for general contracting single prime.

Director Williamson provided an update of the status of the 659 school districts including our vocational school systems. We have currently served 349 districts with 310 districts remaining to be served. Within those numbers we currently have 59 districts we are working with in respect to opportunities for construction; 35 projects in design; 43 projects in construction; 49 lapsed districts; 111 deferred districts and 6 districts that are pending for their local share.

Chairman Keen asked even though Upper Arlington City School District is way up on the equity list, they have availed themselves to an assessment for a local building project that they plan to embark on, would that be captured in your category of projects in design. David Chovan responded that as even though we are working with them on an assessment, they are not really in a planning process with us and would not be included in those numbers. We have an understanding with the district that this is just an assessment for them.

Director Williamson introduced OSFC Project Manager Stacey Thomas who presented on the Lancaster City School District. With Stacey was Superintendent Steve Wigton and in the audience was Bob Hart and Mark Majidzadeh with Resource International, one of the construction management firms for Lancaster. The project began in 2013. It was one of the pilot projects for the new delivery models. It consists of 5 new PK-5 elementary buildings split into two phases. The first phase was 3 buildings and the second phase was 2 buildings. Lancaster City Schools was an exceptional needs project due to overcrowding. They consolidated 8 buildings down to 5 new buildings. Three of these buildings were construction manager at risk (CMR) and two were done under general contracting single prime. Schorr Architects, Inc. teamed up with LegatKingscott as the architect for the project and designed each school with unique identifications and color schemes. The district serves approximately 3,000 PK – 5 students. The existing 8 buildings were approximately 273,000 square feet and the 5 new buildings are approximately 356,000 square feet. Each of the new elementary schools have separate playgrounds for Grades PK–2 and Grades 3-5 and an operable partition between the cafetorium, stage and gymnasium that allows them to open the area up for large events. The first phase was completed on time and opened for the August 2015 school year.

The first building that finished was Mount Pleasant. This project was done as Construction Manager at Risk with Turner Construction. It was approximately $15.1 M and 67,000 square feet. This building was located on the old North School site that had been abandoned approximately 5-7 years before. The second building completed was Tarhe Trails. This project was done under the General Contracting/Single Prime by Monarch Construction. It was approximately $15 M and 67,000 square feet. This building is located in one of the newer housing developments in the North part of the city, right off Route 33. The third building was Gorsuch West. This project was done as General Contracting/Single Prime by Stockmeister Enterprises. It was $14.8 M and 67,000 square feet. It is located on the west side of town. The property was donated by Mary Gorsuch. Superintendent Wigton added that there were features that were not in the old buildings. A lot of the buildings did not have libraries, media centers nor art in our programs until we added the new buildings.

The second phase of the project was started while finishing the first three schools that were heavy into construction. The last 2 projects are Construction Manager at Risk and are being managed by Summit Resource. Of the last two buildings, Medill is the largest school. It is $18 M, approximately 85,000 square feet. This project is on the East Side and will be completed in November of 2016. Superintendent Wigton added that this school is larger because it is a pre-school with a large population of special education. This district is a little bit different than a lot of districts in that each building specializes in a certain degree of special education. There are different resource rooms for our special needs populations. Medill will house an Autism unit. Stacey Thomas shared that Tallmadge has a great success story. It is 15 M, 68,610 square feet. It was not scheduled to be done until November 2016. The construction management firm has

been excellent to work with. The district went to the construction firm about 4 – 5 months ago and said they did not want to have a mid-year move ins in both of these buildings and asked if the smaller of the two projects could get done sooner. The construction manager informed the school district that they will be finishing this project more than 3 months early. Being able to move the students in August 2016 is a great success for the district. Superintendent Wigton added that these two buildings have been built on previous school sites, so while they are being built students have been on buses so this will alleviate all that bussing. Superintendent Wigton added that it has been a real change for our community to have schools in new locations, with new traffic patterns and with us bussing students all over. You find out that you have students that have never been on buses before. Parents never had to get their children on buses before. Those are changes that we had to work through.

Superintendent Wigton also added that due to all the successes with the construction, they have requested their two new middle schools be moved up in the process for funding and hope to see that approval in July. Superintendent Wigton expressed his appreciation with the partnership with the OFCC. We found it to be a very good relationship. These projects have certainly brought a great deal of excitement in our district and in our community as a whole. Revitalization is going on in Lancaster. We can say that it has been a great partnership and look forward to continuing to work with the OFCC. We prefer the construction manager model and find that we get better quality. Because of that we were able hire Summit Resource and we are going into a building 3 months early. I think that is pretty much unheard in the construction business, certainly a rare thing, but because of quality construction management and quality subcontractors we were able to do that.

Dr. Rivera commented that it is exciting to see the kids the first day going into a new building. Dr. Rivera asked if they had air conditioning in the old building. Superintendent Wigton responded they did not. Superintendent Wigton responded that creates pressure, we have to get those new middle schools built because the old middle schools do not have air conditioning.

Chairman Keen added the interesting thing is the comments about the new construction enables you to have new program areas. My issue that I have thought a lot about as to what extent do you note new buildings you prove academic outcomes in a proven program. So here is an example which undoubtedly proves that our program and any other resource centers that were not present previously has to affect the academic experience of the children. Superintendent Wigton responded that we are using the cafeteria and physical education in the same space and technology is so much better. That is huge. Director Williamson thanked Stacey and her team for an excellent job. Director Williamson also thanked Superintendent Wigton and Resource International for coming to the Commission meeting. Chairman Keen also thanked and congratulated Superintendent Wigton and told him we are always glad to hear from satisfied customers.

Public Testimony

Brian Hamler, Superintendent of the Whitehall City School District and Steve McAfee, Treasurer presented public testimony regarding the exceptional increase in enrollment. Their written comments are incorporated into the minutes.

Dr. Rivera asked if there were any portables in some of these locations. Superintendent Hamler responded that they have engaged their community in future focus meetings recently and that is one of the ideas that we have kicked around. It is a little embarrassing the fact that we have not closed out a project and we are looking at putting temporary classroom space outside of our middle school, but that is one of the ideas that we are looking at.

Senator Sawyer added that it struck him that we have a rule that does not deal with the reality and are attempting to shape the reality. It seems like we should alter the rule.

Chairman Keen asked that the construction is now complete, but we have not yet closed the project out. Superintendent Hamler responded that was correct. We have a few contracts that need to be paid, but we are very close to closing the project out. Chairman Keen asked when was construction finished. Superintendent Hamler responded that their last building opened in the 2013-2014 school year at the high school. In 2013, a scope adjustment was approved where we added an additional 12 classrooms so that project continued into the next school year. Vice Chair Blair asked if we know of any other school district that is similar. David Chovan responded that we spend a lot of time on school district enrollment and enrollment in the state is declining in most places where we are at. I think we face a strong challenge of not just underbuilding, but also overbuilding so we take that pretty seriously. As far as where we have underbuilt, we haven't see a lot of that. When we are projecting out enrollment, when we see a district increasing in enrollment, we will build to the 10th year out. When we see a district decreasing, we will build to the 5th year out. Sometimes we will see enrollment go up and down. In the situation with Whitehall, there had been a long history of not growth, but in recent years there has been growth, so what we are trying to do is to apply our current rules to the current situation. We do understand that it does present a problem and it doesn't affect things immediately, but at the same time what we do not want to do is build for a potential temporary situation and be overbuilding in the long run. I would say that it is not happening very often where we are seeing situations that we are underbuilding when enrollment is growing like that. Chairman Keen recalled in 2011 or 2012, the Auditor of State conducted a review of the assessments that we were making of population and sited a number of instances where the state had built facilities that were not being used and in fact were being closed because we had projected a certain population growth and then we did not see that, so it is indeed a challenge for the Commission and staff of the Commission on this issue.

Chairman Keen asked Superintended Hamler to talk about what he felt was happening with the enrollment because undoubtedly it would have been based on trends and now we see something that is opposite. Superintendent Hamler responded that he grew up in Whitehall and has a long history in that town. The town is very prideful. There are a lot of people who do not move out of the community. It is affordable housing. Whitehall is a very impoverished neighborhood. The median income is about $35,000. The taxes are at the bottom in the area in the lower 1/3rd. There is a lot of affordable housing. We are not quite filled up. We are seeing a lot of people move into our community, which is a good thing. I think there is a revitalization of our community. There are a lot of commercial developments going on, but we are filling back up. When he attended Whitehall High School, there were approximately 1,500 students in our high school and now we are looking at a high school that has about 815 students. Those homes were there when I was a kid are still there, so there is still potential for growth. We have seen a great deal of growth in those lowered income apartments in recent years.

Senator Sawyer commented that the rule appears to be driven by traditional understanding of demographic change within school districts. Increasingly school districts have to face the consequences of open enrollment policies that have changed profoundly in ways that are not well anticipated by the rule that we are dealing with and in many ways would merit a re-visitation of this rule and recognizing the consequences of those forces.
Senator Manning aske Superintendent Hamler what the average number of students was in their classes. Superintendent Hamler responded that their average class size is driven by their collective bargaining agreement. Most of our classes are around the 30 mark. Some of the primary grades will have smaller numbers, around 24 – 27 kids in a classroom. Senator Manning added that you have no choice, but to add temporary housing of some sort. Superintendent Hamler responded that they have run out of space. Senator Manning asked after just building new buildings are the residents going to blame you. Superintendent Hamler responded that was a good question. Whitehall people are very grateful that the State has helped us. We would never have been able to build buildings that we have without the help of the State. I do not want to sound ungrateful and our community would not want us to either. They have not complained a lot. They do not like the fact that we have to shift kids around to where ever we can find a nook or cranny. We have a lot of kids that are being educated today in spaces that were not designed for them to be educated in. We may have to put a kid on a bus and send him to another building once the building has filled up to the point where we cannot find another spot. I would not say there is anger in our community. I think that our community is concerned. We had a community meeting and Steve McAfee, our Treasurer, did a good job of laying out our enrollment projections. I think they were unaware of just how much we are growing. They are concerned and they are showing up in droves to our meetings to try and figure out the solution to this. That is why I am here. I am here advocating for our community and trying to help find a solution. I do not know that there is a decent solution without adding some space somewhere. We could go back to half-day kindergarten, but then you are going to have angry parents. They do think how did you miss the mark. We do enrollment projections. My former position, I was a Human Resource Director, so I was the one that was hiring people so I kept an eye on enrollment every year to try to figure out how many teachers we would need each year. You are right, Whitehall was flat lined for a long time and our argument back in 2008 was that it did not make sense that we were going to build brand new buildings in our community and people are going to leave town. In 2013 when we opened up the buildings, we did not fit. There was no way we could fit in those buildings and the Ohio School Facilities Commission stepped up and helped us and we thank you for that, but we are in a similar situation. There are kids are moving into the middle school now and we are not going to fit in our middle school. That is our situation and we are here hoping that you can help us find a solution for that.

Chairman Keen thanked Superintendent Hamler for well representing his school district by bringing this issue to the Commission's attention. Clearly this is a challenge for us to wrestle with some good discussions and good points. We have to take this under advisement. We need to think about this case and be open to what if anything what sort of action as we proceed forward and try to balance out the various responsibilities. Chairman Keen thanked Superintendent Hamler for coming forward and raising these issues.

The meeting was adjourned at 2:57 PM.

Timothy S. Keen, Commission Chair

These meeting minutes were prepared by
Carolyn L. McClure, Secretary to the Commission

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OHIO FACILITIES CONSTRUCTION COMMISSION

Ohio School Facilities Commission

Testimony Request Slip

Commission Meeting Date 4/28/16

Please return the completed form and fourteen (copies) of your testimony and materials to the Commission Secretary prior to the start of the meeting.

Name: Brian Hamler

Title/Organization Representing: Superintendent - Whitehall City School District

Address: 625 S. Yearling Rd
Whitehall, Ohio 43213

Phone: 614 417-5000 E-mail: hamlerb@WCSRAMS.org

Topic to be addressed in testimony:

Exceptional Increase in Enrollment

☑ Check if handouts or materials are provided

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OHIO FACILITIES CONSTRUCTION COMMISSION

Ohio School Facilities Commission

Testimony Request Slip

Commission Meeting Date 4/28/16

Please return the completed form and fourteen (copies) of your testimony and materials to the Commission Secretary prior to the start of the meeting.

Name: Steve McAfee

Title/Organization Representing: Treasurer of Whitehall City Schools

Address: 625 S Yearling Rd
Whitehall, OH 43213

Phone: (614)417-5006 E-mail: mcafees@wcsroms.org

Topic to be addressed in testimony:

Exceptional Increase in Enrollment
- Present to help answer any questions regarding Brian Hamler's testimony

☑ Check if handouts or materials are provided

Achieving Together

Ohio School Facilities Commission
"Exceptional Increase in Enrollment" Testimony
Whitehall City School District
April 28, 2016

Good afternoon Chairman Keen and members of the Ohio School Facilities Commission (OSFC). My name is Brian Hamler, Superintendent of Whitehall City Schools. Joining me for this testimony and in answering your questions are Steve McAfee, Treasurer of Whitehall City Schools, and Tom Ash, Director of Governmental Relations for the Buckeye Association of School Administrators.

The Whitehall City School District was grateful to be awarded funding through the Classroom Facilities Assistance Program (CFAP) in 2008. The District was #234 on the Fiscal Year 2008 Eligibility Ranking List, which produced a local share of 39%. Our community jumped at the opportunity for the state to fund 61% of the cost of new school facilities. In November 2008 during the heart of the recession, voters approved a 6.87 mill levy to fund the local share by a margin of 63% - 37%. Our residents place a high priority on their children's education.

OSFC contracted with Dejong-Healy to complete an enrollment projection upon which to plan our district's CFAP project. They projected declining enrollment and recommended our schools be built to house 2,643 students. District officials objected to this enrollment projection to no avail. A $78 million master plan was finalized to build three new elementary schools to house 1,276 students in grades PK-5, a new middle school to house 652 students in grades 6-8, and a new high school to house 715 students in grades 9-12.

As soon as the new elementary schools opened, they were too small. OSFC approved a scope adjustment in January 2013 to add space for an additional 300 elementary students. Additions of four classrooms were built on to each elementary, increasing the district-wide building capacity to 2,943. A request for a second scope adjustment for additional classroom spaces at the secondary level was denied by OSFC in October 2015.

We are currently working to close out our CFAP project. Our enrollment today is 3,339 and growing. We remain in need of additional assistance to provide more classroom spaces for our students. According to Ohio Revised Code 3318.04(B)(1), a district funded through CFAP within the last twenty years cannot receive additional assistance "unless the district demonstrates to the satisfaction of the commission that the district has experienced since approval of its prior project an exceptional increase in enrollment significantly above the district's design capacity under that prior project as determined by rule of the commission."

The rule of the commission that quantifies an exceptional increase in enrollment is found in Ohio Administrative Code 3318:1-5-01(A): "A district may be considered to have an exceptional increase in enrollment if...the district has an enrollment that exceeds 115% of design capacity in the school district's master facilities plan...and the situation has existed for a minimum of three consecutive years." Our current enrollment of 3,339 puts us at 113.5% of design capacity.

OSFC contracted with FutureThink (formerly Dejong-Healy) to update our enrollment projections in September 2015. We are providing you with a comparison of their projection to our design capacity through 2024-25:

Grade Group	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
PK – 5 Projection	1,781	1,822	1,855	1,837	1,836	1,873	1,901	1,890	1,863
PK – 5 Capacity	1,576	1,576	1,576	1,576	1,576	1,576	1,576	1,576	1,576
6 – 8 Projection	782	802	859	930	958	928	885	895	961
6 – 8 Capacity	652	652	652	652	652	652	652	652	652
9 – 12 Projection	834	877	881	883	931	980	1,049	1,079	1,046
9 – 12 Capacity	715	715	715	715	715	715	715	715	715
Total Projection	3,397	3,501	3,595	3,650	3,725	3,781	3,835	3,864	3,870
Total Capacity	2,943	2,943	2,943	2,943	2,943	2,943	2,943	2,943	2,943
As % of Design Capacity	115.4%	119.0%	122.2%	124.0%	126.6%	128.5%	130.3%	131.3%	131.5%

As you can see, we're projected to exceed 115% of design capacity next school year, but we would not be able to request additional funding until 2019 according to the Commission's rule. If approved, it would likely take another three years to pass a levy, plan and construct additional classroom spaces. Therefore, relief wouldn't be available until the 2022-23 school year.

We cannot wait until 2022 to provide additional classroom spaces for our growing student population. We cannot, for example, educate over 900 students in a middle school built for 652. We believe there already is enough evidence to determine our district is experiencing an exceptional increase in enrollment and we are more dependent than ever on the OSFC to provide assistance. Our district's property valuation has decreased 21.5% since 2008. Due to the combination of our declining property valuation and increasing enrollment, our district has moved from #234 on the Fiscal Year 2008 Eligibility Ranking List to #23 on the Fiscal Year 2016 Eligibility Ranking List. We are an exceptional case in many ways.

Our position is the current rule to address an exceptional increase in enrollment is not proactive enough. We are looking to the Ohio School Facilities Commission and its staff to assist us in what we feel is both a unique and challenging situation.

Thank you for your time today and we will be happy to answer your questions.