
EXCEPTIONAL NEEDS PROGRAM GUIDELINES

Subject: Guidelines

Approval: Commission Resolution 12-86

Code Section/Reference: ORC 3318.37

Owner: Planning

Policy Number: PL-16

Originally Issued: February 1999

Revised: March 2000; July 2001; July 2002;
July 2003; September 2004; June 2005; June
2006; August 2007, November 2010,
September 2011; September 2012;
December 2017

APPLIES TO

Exceptional Needs Program (ENP)

The Exceptional Needs Program (ENP) provides funding to school districts with a compelling need for immediate classroom facilities assistance. Under Chapter 3318.37 of the Ohio Revised Code, the Commission may provide funding to districts with unsafe school conditions. Qualifying districts receive state funds to address critical health and safety needs due to inadequate facilities.

ENP is designed to identify buildings from among eligible applicants that have the most severe facility problems. ENP will co-fund a master plan that provides classroom facilities for a selected applicant building. ENP does not fund facility repair or renovation. School districts served by ENP remain eligible for funding assistance in the Classroom Facilities Assistance Program (CFAP) and may also participate in the Expedited Local Partnership Program (ELPP) to complete the balance of their facility needs. However, districts that have executed a construction contract for work under an approved ELPP Agreement will be considered ineligible for ENP participation.

CFAP policies, procedures, and guidelines apply to ENP unless waived by the Commission.

School District Eligibility Criteria and Exceptions

Applicant districts must*:

1. Demonstrate the need for complete or significant replacement of the applicant building or in the case of building overcrowding, demonstrate the need for a building replacement, addition, or additional building; and
2. Not be a previous or current participant in the ELPP that has an executed construction contract for work under an ELPP Agreement; and
3. Not having received CFAP funding within the last 20 years, or any prior CFAP project within the last 20 years was one for which the electors did not approve a levy.

* *H.B. 95 of the 125th General Assembly passed in June 2003 created an exception for ELPP pilot districts with a district resolution in place prior to September 14, 2000 to apply for ENP. H.B. 153 of the 129th General Assembly, effective September 29, 2011, removed the prohibition regarding districts expected to be served under the Classroom Facilities Assistance Program within three years. S.B. 316 of the 129th General Assembly, effective September 24, 2012, removed prohibitions regarding land-area size (300 square miles or more) and wealth (75th percentile or lower).*

Applications

Eligible school districts will be notified and may submit an application in the year in which they become eligible.

School districts must submit a separate application for each facility (identified by an IRN number) to be considered for the Exceptional Needs Program. In circumstances where the IRN identifies two combined structures, it should be so noted for possible separate ENP evaluations to be determined by the Commission. If a district applies for the program to address building overcrowding, it should submit one application and provide district-wide information as instructed in the application. Applications must contain written and photographic documentation identifying the facility's exceptional needs that affect the health and safety of students.

Applications received by the deadline set by the Commission will receive program consideration in the next annual selection process.

Evaluation/Selection

Applications are scored and ranked according to degree of severity in the following six major categories: Health, Life Safety, Structure, Heating & Ventilation, Electrical and Overcrowding. The Commission reserves the right to consider other categories that, in the Commission's discretion, would demonstrate an exceptional need for immediate classroom facilities assistance. Such situations will be considered on a case-by-case basis and must meet eligibility criteria pursuant to R.C. 3318.37.

The following major steps are involved in the ENP evaluation and selection process:

- Step 1** Architectural and engineering professionals selected by the Commission review and evaluate applications in each category.
- Step 2** A short list of applicants determined to have an exceptional need for facility assistance is developed.
- Step 3** On-site visits of short-listed applicants are conducted and scored in six categories. The application and on-site assessment of ENP applicant buildings are then compared to the assessments for facilities in the districts in line for funding from other OFCC programs. If an ENP applicant does not demonstrate a greater need than the districts in line for funding from other OFCC programs, their project will not be selected for funding.
- Step 4** An independent Evaluation Committee appointed by the Commission's Executive Director reviews and evaluates the information provided by the architectural and engineering professionals and prioritizes the applicant buildings when the number of applicants exceeds the funding available.
- Step 5** Master plans are developed for school districts prioritized by the Evaluation Committee as having buildings with the most exceptional need for assistance or deemed within the available funding.
- Step 6** The Executive Director recommends program funding for the current fiscal year to the Commission based upon Evaluation Committee recommendations, funding availability and other Commission programs to be funded in the fiscal year.

Inquiries

Please direct questions regarding the Exceptional Needs Program to the Ohio Facilities Construction Commission, phone: (614) 466-6290 or e-mail: info@ofcc.ohio.gov.