



Town of Stow School Building Task Force

380 Great Road.
Stow, Massachusetts 01775

20 June 2006

Ms. Katherine Craven, Executive Director
Mr. Matthew Donovan
The Massachusetts School Building Authority
3 Center Plaza, Suite 430
Boston MA 02108

Subject: Draft MSBA Regulations

Dear Ms. Craven and Mr. Donovan:

On behalf of the Stow School Building Task Force, I would like submit the following comments relating to the Draft MSBA Regulations 963 CMR 1.00 dated May 22, 2006, for your consideration.

1.02: Definitions

We would recommend that the following definitions be included in this section:

- “Total Facilities Grant”: As referred to in 1.03.k and other sections.
- “Overcrowding” and “Severe Overcrowding”: There are numerous references to these terms as a statutory requirement (MGL c.70B including Sections 8) for some areas of funding, therefore a complete definition of this requirement is needed.

We would recommend the following definitions be clarified and or expanded upon:

- “Eligible Applicant”: In the case of Town owned buildings, we would recommend the Eligible Applicant be the Town, with Regional School District concurrence of the project. If a Regional School District leases Town owned buildings and the Town is responsible for capital projects by District Agreement, the eligible applicant would logically be the Town.

1.06.2 Enrollment projections:

There is no statement in the guidelines as to when or how the Authority will determine Planned Enrollment projections. We would strongly urge the MSBA to use some prevailing methodology, clearly defined, or allow towns to use reputable projections already completed. Clarification as to the planning horizon must also be included.

1.09.5, Para 2: Makeup of School Building Committee

We would strongly urge the Board to give communities the flexibility to create the school building committees as they see fit. We would allow that there be a minimum requirement of, for example, the Superintendent (or his/her designee), a member of the local School Committee, and a member of the

Selectmen (or their designee) to ensure an ownership by the leading boards of the municipality. As we heard at the June 12 hearing in Boston, many towns such as ours already have building committees in place. It would be counterproductive to have to disband these groups and start over. It would use up precious time and would, in our case, require new votes by Town Meeting to authorize funds to begin the early stages of work. All this would slow down and overly complicate the application process.

1.13.5(e): Ineligible Costs

As we understand it, the enabling legislation was very clear that there would be no “penalty” for communities that chose to go ahead with building projects before receiving state approval (MGL Ch 70b, Section 5). This section seems to state that any funds expended before approval is in hand are ineligible. Perhaps this is a matter of clarification but as a town that has an urgent need to start a project as soon as possible, this is of great concern to us. We would also like to see a clarification of the procedure for towns that want to proceed in advance of approval. We do understand that any project, even already underway, would need to meet the requirements of the MSBA in order to receive reimbursement.

1.13.5 (g): All costs associated with operation and routine maintenance of an assisted facility.

This section needs clarification as to what the Authority considers “associated with operation and routine maintenance”.

The following items are from MGL Chapter 70B, and referenced in the draft regulations under Section 1.03:

MGL Ch 70b, Section 8(1):Health & Safety

As the first priority on the statutory requirements, it is critical that communities receive a clear definition of “health and safety”: we would like to have clarified whether this refers to internal as well as external safety (traffic patterns, for example);or solely referencing the structural features of the current building.

MGL Ch 70b Section 8(3), referenced in 963 CMR 1.0 Section 1.03: Accreditation

There is not an explicit requirement of accreditation for general elementary schools at this time, but implications are for certain education standards to be met to be considered an “accepted” elementary school. We would urge you to clarify that by educational standards you mean the Massachusetts Frameworks and that any new or renovated space must be necessary or supportive of teachers to design and implement instruction that meets the Frameworks. As this is high on the statutory requirements, we would like to see a clear definition of accreditation at this level.

We thank the MSBA members for their time and dedication in making this a more productive and proactive process for school building approval. We are pleased to see frequent and early contact with building projects so that time spent on ineligible or on incomplete proposals is kept to a minimum. We look forward to working with the Authority in the coming years.

Sincerely,

Ellen S. Sturgis, Chair
On behalf of the Stow School Building Task Force

Cc: SSBTF members; Senator Pam Resor, Representative Pat Walrath
Nashoba Regional School District Superintendent Michael Wood
Stow Board of Selectmen, Finance Committee