

CR 82-130

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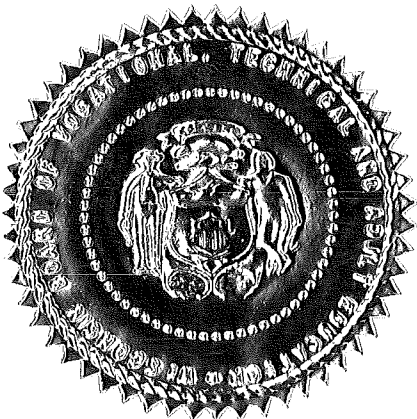
BOARD OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION

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) SS
)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert P. Sorensen, State Director of the Wisconsin Board of Vocational, Technical and Adult Education, and custodian of the official records of said Board do hereby certify that the annexed rules relating to Facilities Development Procedures for Vocational, Technical and Adult Education Districts were duly approved and adopted by this Board on July 27, 1983.

I further certify that said copy has been compared by me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board at Hill Farms State Office Building in the city of Madison, this 12th day of October, 1983.

Robert P. Sorensen

Robert P. Sorensen
State Director

12-1-83

ORDER OF THE
BOARD OF VOCATIONAL, TECHNICAL AND
ADULT EDUCATION
ADOPTING RULES RELATING TO
FACILITIES DEVELOPMENT PROCEDURES

To create Chapter A-V 5 relating to facilities development procedures for vocational, technical and adult education districts.

Analysis prepared by the Wisconsin Board of Vocational, Technical and Adult Education.

Section 38.04(10), Stats., provides that the Board of Vocational, Technical and Adult Education "shall review and approve any proposals by district boards for land acquisition, additional or new facilities, rentals and remodeling of existing facilities, prior to the letting of contracts to construct, remodel, rent or incur debt for such facilities or land acquisition." This chapter is being proposed to set forth the Board's procedures for review of the proposals required to be submitted under s. 38.04(10), Stats.

A-V 5.01 sets forth the purpose of these rules.

A-V 5.02 defines certain terminology as used in these rules.

A-V 5.03 requires all proposals to be submitted 45 days prior to the board meeting at which the proposal will be reviewed.

A-V 5.04 requires district boards to submit proposal containing certain information and data for evaluation by the Board. This includes resolutions of the district board approving the project and requesting Board approval. Data and analyses relative to student needs, the needs of business and industry and costs is also required.

A-V 5.05 sets forth the information and data required from district boards relative to the fiscal impact of the proposal upon the district's budget resulting from the proposal.

A-V 5.06 requires the State Director to notify the district board, at least 14 days prior to board review as to his recommendation relative to the proposal.

A-V 5.07 requires the State Director to notify the district board of the Board's decision within 10 days of the Board's meeting to review the proposal.

A-V 5.08 sets forth the Board's criteria for review.

It should be noted that while the definitions contained in A-V 5.02 may be duplicative of those contained in ch. A-V 1, the Board intends to repeal ch. A-V 1 upon completion of all rule chapters currently being drafted. Additionally, rules governing compliance with s. 1.11, Stats., relative to environmental impacts, are currently in the development stage.

Pursuant to authority vested in the Board of Vocational, Technical and Adult Education by section 227.014(2)(a), Stats., the Board proposes to adopt rules interpreting section 38.04(10), Stats., as follows:

1 SECTION 1: Chapter A-V 5 of the Wisconsin
2 Administrative Code is created to read:

3
4 FACILITY DEVELOPMENT PROCEDURES

5
6 A-V 5.01 PURPOSE. The purpose of this chapter is to
7 set forth procedures for board approval of requests by district
8 boards for land acquisition, additional or new facilities,
9 rentals and remodeling of existing facilities under s. 38.04(10),
10 Stats.

11
12 A-V 5.02 DEFINITIONS. In this chapter (1) "Additional

1 or new facilities" means construction of new facilities or
2 elevated walkways or the completion of a shell from prior
3 construction.

4 (2) "Board" means the board of vocational, technical
5 and adult education.

6 (3) "Director" means the person appointed by the board
7 under s. 38.04(2), Stats.

8 (4) "District" means a vocational, technical and adult
9 education district established under ch. 38, Stats.

10 (5) "District board" means the district board in charge
11 of the vocational, technical and adult education schools of a
12 district.

13 (6) "HVAC system" means heating, ventilation and air-
14 conditioning system.

15 (7) "Land acquisition" means the acquisition of real
16 property by purchase, lease/purchase, gift or trade.

17 (8) "Remodeling of existing facilities" means the
18 reconstruction of an existing structure, or a major portion
19 thereof, for the purpose of making permanent improvements.

20 (9) "Rentals" means the acquisition of real property or
21 facilities by lease agreement.

22

23 A-V 5.03 SUBMISSION OF REQUEST. Requests for board
24 approval of proposals for land acquisition, additional or new
25 facilities, rentals or remodeling of existing facilities shall be

1 submitted by the district board to the director no less than 45
2 days prior to the board meeting at which the proposal will be
3 reviewed.

4
5 A-V 5.04 CONTENTS OF SUBMITTAL. (1) LAND

6 ACQUISITION. A district board shall submit the following
7 information relative to proposals for land acquisition for
8 evaluation by the board:

9 (a) A resolution of the district board approving the
10 land acquisition contingent upon board approval.

11 (b) A resolution of the district board requesting board
12 approval for land acquisition.

13 (c) Evidence of compliance with s. 1.11, Stats.

14 (d) A copy of a certified land survey indicating the
15 boundaries and legal description of the land to be acquired.

16 (e) A report relating programatic and student
17 requirements, and the needs of business and industry, to the need
18 for land acquisition. The report shall include data indicating
19 the need for land acquisition based upon:

20 1. An analysis of the needs of business and industry
21 for persons with new skills and persons with updated skills.

22
23 2. An analysis of changing and emerging technologies
24 within the district.

25 3. An analysis of available student stations, and the

1 need for additional student stations, including consideration of
2 the needs of persons with handicaps.

3 4. Enrollment trends for the district, including
4 placement data for all program areas and the program area to be
5 expanded.

6 (f) A statement of the costs to be incurred for the
7 land acquisition, including survey and legal fees.

8 (g) A statement indicating the availability and
9 specific source of funds for the land acquisition.

10 (2) ADDITIONAL AND NEW FACILITIES. A district board
11 shall submit the following information relative to proposal for
12 additional or new facilities for evaluation by the board:

13 (a) A resolution of the district board approving the
14 additional or new facilities.

15 (b) A resolution of the district board requesting board
16 approval for additional or new facilities.

17 (c) Evidence of compliance with s. 1.11, Stats.

18 (d) A report relating programatic and student station
19 requirements, and the needs of business and industry, to the need
20 for additional or new facilities. The report shall include data
21 indicating the need for additional or new facilities based upon:

22 1. An analysis that considers the joint use of
23 facilities as required under s. 20.901(4), Stats.

24 2. An analysis of needs of business and industry for
25 persons with new skills and persons with updated skills.

1 3. An analysis of changing and emerging technologies
2 within the district.

3 4. An analysis of available student stations, and the
4 need for additional student stations, including a consideration
5 of the needs of persons with handicaps.

6 5. Enrollment trends for the district, including
7 placement data for all program areas and the program area to be
8 expanded.

9 (e) Educational specifications relating specific space
10 requirements for approved programs to the need for additional or
11 new facilities.

12 (f) An analysis of the fiscal impact of additional or
13 new facilities on the district's operating budget, including
14 availability and specific source of funds as required under
15 s. A-V 5.05.

16 (g) A conceptual sketch of the proposed additional or
17 new facilities.

18 (h) The estimated project cost by the following
19 categories:

- 20 1. General construction
- 21 2. Heating, ventilating and air-conditioning
- 22 3. Electrical
- 23 4. Plumbing
- 24 5. Other contracts
- 25 6. Equipment, both fixed and movable

1 7. Miscellaneous costs

2 8. Fees

3 (i) A copy of the district energy study analysis
4 indicating compliance with s. 1.12, Stats.

5 (j) A list of the various sources of building energy
6 available and a plan for performing a life cycle costs analysis
7 for an alternate form of energy.

8 (k) A plan for performing a life cycle costs analysis
9 for the structural frame, building skin and the total energy
10 system, including the HVAC system, electrical system and plumbing
11 system to satisfy the requirements under s. 1.12, Stats.

12 (3) RENTALS. A district board shall submit the
13 following information relative to proposals for rentals for
14 evaluation by the board:

15 (a) A resolution of the district board approving the
16 lease contingent upon board approval.

17 (b) A resolution of the district board requesting board
18 approval of the lease.

19 (c) A copy of the proposed lease as reviewed by the
20 district's legal counsel.

21 (d) A report relating programmatic and student
22 requirements, and the needs of business and industry, to the need
23 for the rental. The report shall include data indicating the need
24 for the rental based upon:

25 1. An analysis of the needs of business and industry

1 for persons with new skills and persons with updated skills.

2 2. An analysis of changing and emerging technologies
3 within the district.

4 3. An analysis of available student stations, and the
5 need for additional student stations, including a consideration
6 of the needs of persons with handicaps.

7 4. Enrollment trends for the district, including
8 placement data for all program areas and the program area to be
9 expanded.

10 (e) An analysis' of the fiscal impact of the rental on
11 the district's budget, including the availability and specific
12 source of funds as required under s. A-V 5.05.

13 (4) REMODELING. A district board shall submit the
14 following data relative to proposals for remodeling existing
15 facilities for evaluation by the board:

16 (a) A resolution of the district board approving the
17 remodeling of existing facilities.

18 (b) A resolution of the district board requesting board
19 approval of the remodeling of existing facilities.

20 (c) Evidence of compliance with s. 1.11, Stats.

21 (d) A report relating programatic and student
22 requirements, and the needs of business and industry, to the need
23 for remodeling of existing facilities. The report shall include
24 data indicating the need for remodeling of existing facilities
25 based upon:

1 1. An analysis of the needs of business and industry
2 for persons with new skills and persons with updated skills.

3 2. An analysis of changing and emerging technologies
4 within the district.

5 3. An analysis of available student stations, and the
6 need for additional student stations, including a consideration
7 of the needs of persons with handicaps.

8 4. Enrollment trends for the district, including
9 placement data for all program areas and the program area to be
10 expanded.

11 (e) Educational specifications relating specific space
12 requirements for approved programs to the need for remodeling of
13 existing facilities.

14 (f) An analysis of the fiscal impact of the remodeling
15 of existing facilities on the district's budget, including the
16 availability and specific source of funds as required under
17 A-V 5.05.

18 (g) A conceptual sketch of the remodeling.

19 (h) The estimated project cost by the following
20 categories:

- 21 1. General construction
- 22 2. Heating, ventilating and air-conditioning
- 23 3. Electrical
- 24 4. Plumbing
- 25 5. Other contracts

1 6. Equipment, both fixed and movable

2 7. Miscellaneous costs

3 8. Fees

4 (i) A list of the various sources of building energy
5 available and a plan for performing a life cycle costs analysis
6 for an alternate form of energy indicating compliance with the
7 requirements under s. 1.12, Stats.

8 (j) A plan for performing a life cycle costs analysis
9 for the building skin and the total energy system, including the
10 HVAC system, electrical system and plumbing system to satisfy the
11 requirements under s. 1.12, Stats.

12

13 A-V 5.05 FISCAL IMPACT. The analysis of the fiscal
14 impact of additional or new facilities, rentals and remodeling of
15 existing facilities submitted to the board under ss. A-V
16 5.04(2)(f), 3(e) and 4(f) shall include:

17 (1) Data relative to increased instructional costs,
18 increased administrative, maintenance and energy costs and costs
19 for new or replacement equipment resulting from the additional or
20 new facilities, rentals or remodeling of existing facilities.

21 (2) A list of the source of funds in substantially the
22 following form:

23 (a) Tax levy - FY _____

24 (b) Fund transfer or reserve fund _____

25 (c) Proposed sale of bonds or notes _____

- 1 (d) Other funds:
- 2 1. Federal funds _____
- 3 2. Gifts or grants _____
- 4 (e) Total funds _____

5 (3) A statement of compliance with ss. 38.15 and
 6 67.12(12), Stats., if applicable.

7

8 A-V 5.06 NOTIFICATION OF REVIEW. The director shall
 9 notify the district board at least 14 days prior to board review
 10 of the proposals for land acquisition, additional or new
 11 facilities, rentals or remodeling of existing facilities of
 12 director's recommendation to the board and the rationale for the
 13 recommendation. The district board or its designee may appear
 14 before the board to submit any data or information in support of
 15 the district board's proposal.

16

17 A-V 5.07 NOTIFICATION OF BOARD ACTION. The director
 18 shall notify the district board of the board's decision within 10
 19 days of the board meeting where the proposal is reviewed.

20

21 A-V 5.08 CRITERIA USED IN REVIEW. (1) The board shall
 22 review proposals for approval of land acquisitions, additional or
 23 new facilities, rentals or remodeling based upon the information
 24 and data submitted to it under this chapter.

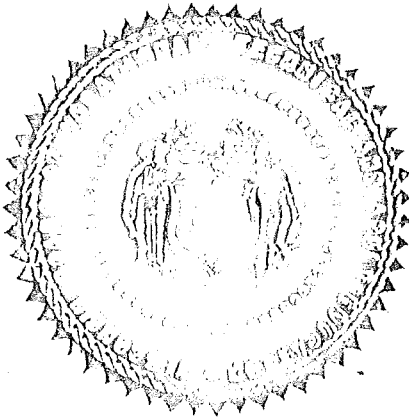
25 (2) Information and data required under ss. A-V 5.04(1)

to (4) shall be reviewed on the basis of acceptable or not acceptable.

The rules contained in this order shall take effect as provided in s. 227.026(1)(intro.), Stats.

Date: October 12, 1983

WISCONSIN BOARD OF VOCATIONAL,
TECHNICAL AND ADULT EDUCATION



Robert P. Sorensen

Robert P. Sorensen, Ph.D.

State Director



State of Wisconsin \

BOARD OF VOCATIONAL, TECHNICAL & ADULT EDUCATION

October 12, 1983

ROBERT P. SORENSEN, Ph.D.

State Director

4802 Sheboygan Avenue, 7th Floor

P. O. Box 7874

MADISON, WISCONSIN 53707

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Mr. Orlan L. Prestegard
Revisor of Statutes
Room 411 West - State Capitol
Madison, WI 53702

OCT 14 1983
Revisor of Statutes
Bureau

Dear Mr. Prestegard:

Enclosed for filing is a certified copy of the Order of the Board of Vocational, Technical and Adult Education adopting Chapter A-V 5, Wisconsin Administrative Code (Clearinghouse Rule 82-130), entitled "Facilities Development Procedures for Vocational, Technical and Adult Education Districts." Also enclosed is an additional copy of the Order for use as printer's copy.

Should you have any questions, please do not hesitate to contact me at 266-8171.

Sincerely,

Edward S. Alschuler
Legal Counsel

ESA:rmj

cc: Robert P. Sorensen, Ph.D.
John R. Kroll
Edward Chin
Glenn Davison
Donald Knudson

Enclosures



State of Wisconsin \

BOARD OF VOCATIONAL, TECHNICAL & ADULT EDUCATION

ROBERT P. SORENSEN, Ph.D.

State Director

4802 Sheboygan Avenue, 7th Floor

P. O. Box 7874

MADISON, WISCONSIN 53707

October 11, 1983

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OCT 13 1983

Revisor of Statutes
Bureau

Mr. Gary L. Poulson
Assistant Revisor of Statutes
411 West - State Capitol
Madison, Wisconsin 53702

Dear Mr. Poulson:

The State VTAE Board is proposing permanent rules on the subject of determination of hardship enrollment by vocational, technical and adult education districts, Clearinghouse Rule 83-175. Enclosed for publication, in the end-of-the month Administrative Register, is a Notice of Hearing on these rules.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Edward S. Alschuler
Legal Counsel

ESA/mt

cc: Robert P. Sorensen
John Kroll
Ed Chin
Glenn Davison
Lorran Celley

Enclosure