LEGISLATIVE REPORT

SUBJECT: Relating to Public School Lands

REFERENCE: Act 155 (SLH 2013) (SB 237, SD2, HD1, CD1)

ACTION REQUESTED: DOE report to the 2014 legislative session and each regular session thereafter until the completion of each project authorized pursuant to the Act

DOE REPORT:
Introduction: Act 155 (SLH 2013) requires the DOE to report on six issues as enumerated in the Act. Refer to the attachment entitled "ACT 155 (SLH 2013) 2014 Legislative Report."

Findings: See attached

RECOMMENDATIONS: See attached

Kathryn S. Matayoshi
Superintendent
Department of Education

Date: DEC 5 2013
ACT 155 (SLH 2013)
2014 Legislative Report

Act 155 was enacted on June 21, 2013. The purpose of Act 155 is to optimize the use of public school lands, generating opportunities to improve public school facilities and infrastructure that meet the challenges of 21st century standards. This report documents Department of Education (DOE) activities towards implementation of the pilot program for lease of public school land. Revenue generated from the pilot program will be used to build, repair, retrofit and maintain schools as the DOE brings education into the 21st century.

(1) Project timeline:
The following graphic depicts the initial timeline developed by the Project Team that identifies deliverables to the Legislature and the Board of Education, in addition to tasks involved in Project Mobilization, Site Selection Criteria, Site Selection, and Pilot Project Commencement. See Attachment A.

(2) Summary of DOE activities, results, and recommendations to optimize the use of public school lands as a means to build or renovate 21st century schools and school-centered communities:
Since the enactment of Act 155, DOE has worked diligently on project planning, mobilization and site selection criteria. The following outline summarizes activities that serve as a foundation for the successful implementation of the pilot program.

A. Project Mobilization

   I. Organizational Structure:
The DOE has confirmed the program scope, developed the organizational structure within the Office of School Facilities and Support Services (OSFSS) including roles and responsibilities, and defined additional expertise required. Protocols for internal team coordination and communication have been established. Program management will assure there is coordination and sharing of relevant information between the statewide Facilities Master Plan effort and the pilot program as both initiatives move forward.
Pilot Program
Project Team Organizational Chart

Hawaii State Legislature

Board of Education

DOE Superintendent
Kathryn Matayoshi

Assistant Superintendent
Ray L'Heureux

Resource Advisory Group (RAG)

Facilities Development
Kenneth Masden
Nick Nichols

Technical Advisory Group (TAG)

Facilities Staff

SSFM

Concordia

Signature Site #1
Community Fellows
Public Advisory Committee

Signature Site #2
Community Fellows
Public Advisory Committee

Signature Site #3
Community Fellows
Public Advisory Committee
II. Program Communication:
The DOE is currently developing a plan and schedule for ongoing communications and messaging at multiple levels; both internally (with the Project Team) and externally (with key stakeholders and the general public). This effort will help to illustrate the DOE's organizational commitment to ongoing transparency. As part of the communications plan, the DOE has also initiated the development of branding (logo/graphics/images) for the program. The program branding will serve the website and social media elements, which are critical tools for the program's success. All collateral materials, both printed and electronic, will be consistent, using brand graphics and fonts. This includes the following:

a. Program logo.

b. Templates for all publications and collateral materials (print and electronic).

c. Communications plan for program in collaboration with DOE Communications Department (to include program website).

B. Site Selection

I. Criteria:
The DOE has outlined initial considerations for establishing site selection criteria. These considerations provide the foundation for site analysis and recommendations for the final selection of pilot sites. The process considers the concerns and interests of stakeholders from various categories. Considerations are further analyzed according to educational, community, infrastructure and economic needs and viability.
### Initial Considerations in Developing Site Selection Criteria

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<tr>
<th>STAKEHOLDERS</th>
<th>CATEGORIES</th>
<th>CONSIDERATIONS</th>
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| Parents            | Education  | *Demographics (age, grade levels, etc.)  
                   |                      | *Focus on educational delivery and instruction purposes  
                   |                      | *Proximate learning assets  
                   |                      | *Existing and projected enrollment  
                   |                      | *Need for new school or major renovation  
                   |                      | *Limited disruption to classroom instruction  
                   |                      | *Opportunity for co-location, share use, added facilities         |
| School Administrators |           |                                                                                                                                           |
| Teachers           |            |                                                                                                                                           |
| Students           |            |                                                                                                                                           |
| Public             | Community  | *Demographics (age, ethnicity, socio-economics, family unit, etc.)  
                   |                      | *Degree of community solidarity  
                   |                      | *Different areas/islands getting political support  
                   |                      | *Public purpose (high poverty, workforce housing, etc.)  
                   |                      | *Compliment existing land use  
                   |                      | *Create opportunities for retail or housing options to benefit community  
                   |                      | *Strong community and stakeholder groups to support the 21st Century Schools concept |
| Elected Officials  |            |                                                                                                                                           |
| Policymakers       |            |                                                                                                                                           |
| Advocacy Groups    |            |                                                                                                                                           |
| Government Agencies| Infrastructure | *Utilities (transportation, transit oriented development, drainage, etc.)  
                   |                      | *Educational assets (museums, parks, etc.)  
                   |                      | *Community assets (health services, housing, etc.)  
                   |                      | *Available land  
                   |                      | *Entitlements, zoning, permitting  
                   |                      | *Property ownership (State vs. City & County vs. OHA)  
                   |                      | *Legal implications of land ownership  
                   |                      | *County support to work through entitlements  
                   |                      | *Opportunities for sustainable development         |
| Code Officials     |            |                                                                                                                                           |
| Engineers          |            |                                                                                                                                           |
| Developers         | Economics  | *Demographics (income, financial)  
                   |                      | *Land value  
                   |                      | *Environmental assets and liabilities  
                   |                      | *Site size  
                   |                      | *Financial viability and mechanism for revenue development  
                   |                      | *Exactions  
                   |                      | *Create sense of place and enhance community  
                   |                      | *Location, location, location  
                   |                      | *Opportunity for land exchanges (verify legal implications)  
                   |                      | *Parking  
                   |                      | *Foot traffic  
                   |                      | *Transportation infrastructure  
                   |                      | *Proof of Concept (financing and land use concept)  
                   |                      | *Sufficient revenue to support school construction and add to land trust  
                   |                      | *Opportunity for partnership, shared use, added facilities  
                   |                      | *Compliment existing land use  
                   |                      | *Smaller footprint campus component  
                   |                      | *Opportunities for sustainable development         |
II. Advisory Groups:
The DOE has defined two advisory groups for this initiative. Each group will be informed of goals for the committee's work, roles and responsibilities of committee members, and each member will receive a formal invitation for their participation. The Project Team will receive and provide suggestions for advisory members. Recommendations for the advisory group members will be presented to the DOE Leadership (Superintendent, Deputy Superintendent, and Assistant Superintendents) and the Board of Education for final selection.

a. Resource Advisory Group – This key stakeholder group will provide information specific to site selection during the development of site selection criteria and the creation of the initial list of potential sites. This group will be comprised of individuals with expertise and information germane to property development, real estate, financing, procurement, etc. This group will consult directly with the Assistant Superintendent for the Office of School Facilities and Support Services (OSFSS), key Facilities Development Branch planning staff and consultants.

b. Technical Advisory Group – This group will consist of a broader representation of stakeholders, including educators, community leaders, community program providers, real estate developers and investors, elected officials, and municipal leaders, etc. This group will review potential sites and make recommendations for sites to be selected. The DOE will take recommendations under advisement and will make final recommendations to the Board of Education. Additionally, this group will provide review and advice throughout the planning and concept design process for the pilot sites.

(3) Summary of all school and community engagement efforts undertaken or that will be undertaken by DOE in carryout of the pilot program:
Community engagement is intended to be robust throughout implementation of Act 155. The advisory committees, described above, represent one level of engaging key stakeholders who can provide specific information and oversight to guide the process. Critical to the success of the three pilot projects, will be further engagement at the school level and in the surrounding neighborhoods.

A. Program Introduction to the Schools – Collateral materials are being developed and organized to share with the Complex Area Superintendents. This information will be disseminated at the Educational Leadership meetings hosted by the Assistant Superintendent for OSFSS.

B. Pilot Program Community Engagement
Community Planning and Concept Design - The Project Team will plan and implement all community meetings during the Site Analysis and Concept Design
phase of the pilot program. These meetings will be closely coordinated with all Act 155 processes and milestones. The initial public meetings will consist of information gathering, information sharing and best practices. Subsequent meetings will focus on more detailed activities involving the creation, refinement, and prioritizing of recommendations. And the final meetings will include a community celebration of the work and presentation of the final document to officials and the community.

(4) **Summary of DOE's current and project budgeted expenses, including the identification of any contracts with third parties and the creation of temporary positions within the department in carrying out the pilot program:**

Act 155 provided $100,000.00 in appropriations for each of the first two years of the program (FY 2014 and FY 2015). Current funding for FY 2014 has been obligated to consultant support, and will provide for the initial program set up. The program commitment to innovation and community engagement has also garnered support from the philanthropic community. Local foundations have agreed to be funding partners by providing resources for a team of consultants specific to the community engagement facet of the program. For the remainder of the term of the program (FY 2016, FY 2017, and FY 2018), projected recurring costs is estimated to be $150,000 per year.

(5) **Summary of any capacity and funding issues or challenges the department has encountered in carrying out the pilot project:**

To initiate the program, the DOE has been able to subsidize its capacity with consultants funded through the legislative appropriation and various foundation support. As the program begins to take on a greater dimension, there will be a greater demand on DOE staff to effectively support the program. Funding levels, as described in paragraph (4) will allow the DOE to continue to receive support from consultants throughout the program. The expectations of DOE staff may require additional staffing or an adjustment of Department priorities.

(6) **Proposed legislation:**

DOE has begun meeting with local (i.e. City, County, and State) agencies to determine any issues that may require additional enabling legislation, to allow the program to run smoothly. If it is determined that additional legislative support is required the DOE will inform the Legislation early next session. To be determined and included in the 2015 report to the Legislature.