# OPERATIONS MANUAL PUBLIC SCHOOL BUILDING REPAIR and RENOVATION FUND

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# OPERATIONS MANUAL PUBLIC SCHOOL BUILDING REPAIR and RENOVATION FUND

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Questions about the Public School Building Repair and Renovation Fund should be directed to: School Planning Section, Department of Public Instruction, 6319 Mail Service Center, Raleigh, North Carolina, 27699-6319, (984) 236-2920.

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#### PUBLIC SCHOOL BUILDING REPAIR and RENOVATION FUND

#### **PURPOSE**

This manual contains guidelines and regulations relevant to the Public School Building Repair and Renovation Fund (PSBRRF), and is provided to assist counties and local Education Administrations (LEAs) with the performance of the following tasks:

- (1) Applying for funds for public school repair and renovation projects (distribution requests).
- (2) Drawing down allocated funds (fund disbursement).
- (3) Reporting how allocated funds are used (Final Reports).

Since counties and the LEAs within the counties must work together in dealing with all aspects of the PSBRRF, the terms "county," "LEA" and "county/LEA" are used interchangeably in this manual.

#### **BACKGROUND**

**Article IX, Section 2(1)** of the North Carolina State Constitution provides that the State is responsible for public schools. **Article IX, Section 2(2)** delegates the financial responsibility for public school buildings and grounds to the County.

#### **G.S.** 115C-408(b) reads as follows:

"To insure a quality education for every child in North Carolina, and to assure that the necessary resources are provided, it is the policy of the State of North Carolina to provide from State revenue sources the instruction expenses for current operations of the public school system as defined in the standard course of study."

"It is the policy of the State of North Carolina that the facilities requirements for a public education system will be met by county governments."

In order to assist county governments in meeting their public school building repair and renovation needs, the North Carolina General Assembly passed legislation in 2021, as part of *S.L. 2021-180*, that established a new source of revenue to be used specifically for repair and renovation projects. Per *SECTION 4.4.(a1)* of that legislation, "Chapter 115C of the General Statutes is amended by adding a new Article: Article 38 C. Public School Building Repair and Renovation Fund." "G.S. 115C-546.15. Fund created; administration. There is created the Public School Building Repair and Renovation Fund. The fund shall be administered by the Department of Public Instruction and shall be used to provide funds to counties for repair and renovation projects for local school administrative units within a county."

As of the publication date of this manual, the PSBRRF is one of three sources of recurring State funding for the capital facility needs of counties and the LEAs within them. The other sources of revenue are the Public School Building Capital Fund (PSBCF) and the Needs-Based Public School Capital Fund (NBPSCF). Additional information regarding the PSBCF and the NBPSCF can be found on the Capital Funding page within the School Planning Section of the Department of Public Instruction (DPI) website.

https://www.dpi.nc.gov/districts-schools/district-operations/school-planning/capital-funding

#### **SOURCES AND DISTRIBUTION OF REVENUE**

As it is with the PSBCF and NBPSCF, the source of revenue for the PSBRRF is the North Carolina Education Lottery. The General Assembly appropriates a lump sum of Lottery revenue to the PSBRRF each fiscal year. For FY 2021-22 and FY 2022-23, the first two years of the Fund, the appropriated lump sums were \$30 million and \$50 million, respectively.

Per *G.S.* 115C-546.16, "The Department of Public Instruction shall annually allocate all funds available from the Fund to each county in this State in equal amounts." Accordingly, the one hundred counties within the state receive an equal amount of Lottery revenue from the PSBRRF on an annual basis. For counties that have multiple LEAs (school districts), the county's share of revenue is distributed to those LEAs based upon their average daily membership (ADM). ADM numbers are recalculated each year by DPI.

Lottery revenue is distributed to DPI four times throughout the year, roughly coinciding with each fiscal year quarter, and placed into PSBRRF Unallocated Balance accounts that have been established for each county/LEA by DPI. It is, however, usually four to six weeks after the end of a quarter before the amount of the distribution is made known to DPI and distribution among the counties can be calculated. Consequently, first quarter (July-August-September) revenue is usually distributed in mid-November, and so forth. When fourth quarter revenue cannot be distributed by DPI in June, the last month of a fiscal year, it is usually distributed in July, the first month of the next fiscal year.

Lottery revenue earns monthly interest at the standard interest rate established by the State. Revenue from interest earned on funds deposited into Unallocated Balance accounts of counties/LEAs is distributed based upon the cash balances of their individual Unallocated Balance accounts. Revenue from interest earned on allocated but unspent funds in county disbursing accounts (see **DISBURSING ACCOUNTS**) is distributed based upon individual county/LEA project allocations. All earned interest revenue is deposited into the Unallocated Balance accounts of counties/LEAs. Earned interest revenue is not deposited into county disbursing accounts.

#### **EXPENDITURE GUIDELINES**

Per **G.S. 115C-546.16**, "Counties shall utilize funds received under this section for enlargement, improvement, expansion, repair or renovation of classroom facilities at public school buildings within local school administrative units located in the county. Funds received under this section shall not be used for the retirement of indebtedness. As used in this section, "public school buildings" has the same meaning as in G.S. 115C-546.2(b)."

The definition of public school buildings per *G.S.* 115C-546.2(b) includes the following provision: "...only includes facilities for individual schools that are used for instructional and related purposes and does not include centralized administration, maintenance, or other facilities."

As interpreted by DPI, the following types of public school building projects and expenditures are allowable per the provisions of the referenced statutes:

- 1. Enlargement (expansion) of classroom facilities.
- 2. Improvements to classroom facilities.
- 3. Repair of existing building components and systems of classroom facilities.
- 4. Renovation of existing classroom facilities.
- 5. Equipment purchases for classroom facilities.
- 6. Project planning/design fees.

Enlargement (expansion) of classroom facilities is typically accomplished with the construction of building additions, either attached or stand-alone. Such additions must be used for instructional purposes (i.e., classrooms and classroom support areas).

Upgrades to classroom facilities that improve their functionality and the quality of the learning environment within are eligible for funding through the PSBRRF. Some examples are new room finishes (painted walls, new floor coverings and ceiling tiles), new light fixtures, new doors and windows, and interior renovations such as rearrangement and/or enlargement of rooms. Exterior painting, partial or complete re-roofing of classroom buildings, upgrades to and replacement of HVAC, plumbing, electrical, communications and security system components are also eligible for funding through the PSBRRF.

With regards to new equipment, funds from the PSBRRF may be used to purchase items that are to be permanently installed, i.e., equipment that becomes part of the building. Eligible items include, but are not limited to, audio/visual equipment, teleconference systems, wall-mounted electronic blackboards, and interactive smartboards. Not considered as being eligible for funding are classroom furniture (desks, chairs, tables, and other such movable items) and typical school supplies (paper, pencils, pens, markers, pencil sharpeners, etc.).

It is allowable to use funds allocated from the PSBRRF to pay for architectural and engineering design service fees for new construction, repair and renovation projects. Other allowable expenses include fees for investigative services needed for design preparation, such as

subsurface investigations for new building construction, and fees for inspections to determine the presence of and the need to remove hazardous materials (asbestos, lead-based paint, etc.) for building renovation projects.

The referenced statutes specifically prohibit the use of PSBRRF funds for the retirement of indebtedness. DPI interprets these statutes and legislation regarding other Lottery-sourced Capital Funds (PSBCF and NBPSCF) as prohibiting the use of funds allocated from the PSBRRF for the following additional items:

- 1. Real property acquisition.
- 2. Mobile or modular classroom purchase and/or installation.
- 3. Purchase of computers and other "school technology" equipment that does not meet the parameters described above.
- 4. Improvements to school campus site features such as roads, parking lots, playgrounds, tennis courts, athletic fields and lighting, bleachers, grandstands, etc.

It should be noted that the preceding lists of allowable and prohibited expenditures are not all-inclusive. Questions about the eligibility of specific projects should be directed to DPI School Planning prior to the submission of a request for funding.

#### **FUNDING APPLICATION PROCESS**

In order to receive an allocation from the PSBRRF, a county/LEA must submit to DPI a completed "Distribution Request" form. A copy of this form is available online on the Capital Funding page within the School Planning section of the DPI website (see link above in **BACKGROUND**).

Each project for which funding is being requested must be submitted on a separate Distribution Request form. Information to be provided on the form should be submitted in brief, descriptive phrases; complete sentences are not required. Following is a brief description of the information required by the form. The submitted information will be entered by DPI into a database for the purpose of recording the types of projects being funded and the amount of funds being allocated for those projects.

Date of Request: The date the request form is submitted to DPI

**County:** Name of county requesting funds **Address:** Of the county contact person **LEA:** Name of applicant school system **Address:** Of applicant school system

Contact Person: Name of county official Title: Of the county contact person Phone: Of the county contact person Email: Of the county contact person

Project Title: Short, descriptive title; Example: "Replacement of HVAC systems in Building A"

**Project Address:** School name and address where project is to be undertaken **Type of Facility:** Classroom facility at High School, Junior High School or Middle School, Elementary or Primary School, K-12, etc.

**Short Description of Project:** Brief description of building(s) and work to be done, such as number of classrooms to be added, or replacing HVAC, windows, doors, re-roofing; include age(s) of building(s) if known.

**Estimated Costs:** Provide applicable estimate(s) of construction cost(s) for which funding is being requested and a TOTAL cost.

**Amount Requested:** Provide the total amount of State funds requested to be released for the project.

**Signatures:** The Chairpersons of both the County Commissioners and the local Board of Education must sign and date the form. Forms that are submitted to DPI without both signatures may not be processed.

The intent of requiring signatures of the Chairpersons of both groups is to indicate that the two groups are in agreement with regards to the appropriateness of the proposed use of funds. In essence the Chairpersons are:

- a. Requesting release of a specific amount of money, which may be the same or less than the total project costs listed elsewhere on the Distribution Request form.
- b. Agreeing to submit a Final Report upon completion of the project.

The Distribution Request form has no line item designated for "Matching Funds." The PSBRRF does not require a local match for allocated funds.

If the project for which funds are being requested requires the use of professional design services and the development of construction documents, then a copy of the "Certificate of Review" (C.O.R) issued for that project must submitted along with the Distribution Request form. A C.O.R. is a form issued by the School Planning Section of DPI to certify that construction documents for a project have been reviewed and project designs are acceptable.

Not all projects require School Planning review and a C.O.R. to be funded. For those that do, funds needed to pay for planning/design services can be allocated before the issuance of a C.O.R. Additional information regarding review of construction documents is provided in the **Project Planning and DPI Plan (Design) Review** section of the **Appendix**.

Completed and signed Distribution Request forms are to be emailed as PDF files to the School Planning Section contact person listed in the **Contact Information** section of the **Appendix**. It is important for all information provided on the forms to be clear and legible. If it is not, then submission of a hard (paper) copy may be required.

#### FUNDING APPROVAL AND ALLOCATION

Distribution requests are processed monthly by the School Planning Section of DPI. Request forms are accumulated throughout the month and processed together during the last week of the month, typically around the 26<sup>th</sup>. Request forms should, therefore, be submitted to DPI no later than the 25<sup>th</sup>. For the months of February (shorter number of days), June (last month of fiscal year), and December (last month of calendar year), request forms should be submitted a week earlier. Exceptions to submission dates are typically posted on the Capital Funding page within the School Planning section of the DPI website.

If a county/LEA's PSBRRF Unallocated Balance account has a balance equal to or greater than the amount of funds requested, then the full amount of the request will be allocated at one time as long as the project for which funds are requested meets the applicable expenditure guidelines. If the account balance is less than the amount requested, then whatever funds are available when the request is first processed (less a nominal amount to keep a positive balance) will be allocated; additional funds will be allocated as they become available in subsequent months/quarters until the full amount of the funding request has been allocated.

When allocation of funds is authorized for a project, DPI transfers those funds from the county/LEA's PSBRRF Unallocated Balance account to the county's disbursing account in the State Treasurer's Office, usually by the second or third business day of the upcoming month. For example, if funding is authorized on January 26<sup>th</sup>, funds would be available by February 2<sup>nd</sup> or 3<sup>rd</sup> (unless there are non-business days between those dates). Additional information regarding county disbursing accounts is provided in **DISBURSING ACCOUNTS**.

Upon approval of funding, a Memorandum is sent via email to the finance officers of the county and LEA. County and LEA finance officers are encouraged to contact DPI regarding the status of a funding request if they have not received a Memorandum by the tenth business day of the month after the request was submitted. Completed and signed application forms are retained and filed by DPI School Planning Section.

#### **ACCOUNT REPORTS**

The School Planning Section of DPI publishes monthly reports that show revenue distributions to county/LEA Unallocated Balance accounts and project allocations (fund disbursements) made from those accounts. These reports are posted on the Capital Funding web page (referenced above). Information about accessing those reports is provided in the **School Planning Website Information** section of the **Appendix**.

DPI does not issue individual account reports to county managers, school superintendents or other public school system personnel. Circulation of account reports posted by DPI to such personnel is the responsibility of county and LEA finance officers.

#### **DISBURSING ACCOUNTS**

The State Treasurer's Office has established a disbursing account for each county and is responsible for monitoring disbursing account activity. These disbursing accounts have funds transferred to them from the three State "Lottery" Funds - PSBCF, NBPSCF and PSBRRF. It is the responsibility of each county finance officer to maintain a record of how much of the unspent balance in their account was allocated from each of these Funds.

The State Treasurer's Office is responsible for sending specifications for warrants (checks) to each county finance officer, who will then order warrants from a printer of the county's choice. After funds have been transferred to a county's disbursing account, the county finance officer will write warrants against the account to the "ultimate" (or terminal) payee to pay expenses for the capital project. The ultimate payee may be, for example, a contractor that has completed certain work or a vendor who has provided a certain product. A warrant may also be written for the local Board of Education as reimbursement for a payment the Board has already made to a contractor or vendor. The county finance officer must not make warrants to pay expenses for any project other than the one funded, and must not transfer funds from the disbursing account into another account. In addition to being expressly prohibited, transfer of funds into another county account would deprive the county/LEA of interest that would be earned if those funds had remained in the disbursing account.

DPI considers a capital project that was funded through the PSBRRF to be "complete" upon final payment of all project expenses. If any allocated State funds are left unspent upon completion of a capital project, a request must be sent to DPI by the county/LEA to release those funds and transfer them back to the PSBRRF (see **REPORTING REQUIREMENTS**). Excess allocated funds are to remain in the county disbursing account until being transferred back to the PSBRRF since warrants on that account are only to be written to the ultimate (terminal) payee(s). DPI has a process for creating a 'negative allocation' to transfer funds from the county disbursing account back to the county/LEA's Unallocated Balance account. Doing so allows unspent funds to be used on future projects. Additional steps are required by DPI and others to perform this adjustment process if funds have been transferred into a different account.

#### REPORTING REQUIREMENTS

The State Treasurer's Office publishes on its website statements for each county that show disbursing account activity such as deposits, cleared warrants and balances. The NC Administrative Code (20 NCAC 1C.04020) requires all agencies for which a disbursing account has been established to reconcile their disbursing account activity with such statements on a monthly basis. The county finance officer is responsible for performing this reconciliation by completing the electronic Statement Verification process on the Core Banking System (CB\$) website. Additional information regarding this process is provided in the Reports to the State Treasurer section of the Appendix.

A Final Report must be submitted to DPI by the county/LEA within 60 days of completion of any project for which funds from the PSBRRF have been allocated. As indicated above, a project is considered to be "complete" once final payment has been made to the ultimate payee(s). If the county and the LEA have arranged for the LEA to be the ultimate payee, then the project would be considered "complete" upon final payment to the LEA by the county. "Final Report" forms are available online on the Capital Funding page within the School Planning section of the DPI website (see link above in **BACKGROUND**).

If the county has an unexpended balance in its disbursing account for a specific project and submits a Final Report form showing the resulting positive difference between funds allocated and funds spent for that project, then DPI will consider the submission to be a request to redeposit the unspent funds into the county/LEA's PSBRRF Unallocated Balance account. If a Final Report is not submitted for a project, then a written request, either by letter or electronic memo, must be submitted to close out the project and have unspent funds redeposited. The process for redepositing funds into the PSBRRF Unallocated Balance account is as described above in **DISBURSING ACCOUNTS**.

The county and the LEA bear joint responsibility for submitting a Final Report as evidenced by the need for signatures of the Chairpersons of both the County Commissioners and the local Board of Education. DPI does not designate which entity is responsible for preparing and submitting the Final Report. It does, however, suggest that the two boards reach an understanding as to the assumption of that responsibility.

The status of projects funded through the PSBRRF is provided for each county/LEA by the "Monthly Projects Report" posted on the School Planning Capital Funding page. In that report a "Y" in the far right-hand column indicates project completion and receipt of a Final Report by DPI; "N" indicates otherwise. County and LEA finance officers are encouraged to review these reports on a monthly basis and to stay up-to-date with Final Report submissions. If DPI does not receive a Final Report for a completed project in a timely manner, then audit exceptions may be recorded for both the county and the LEA.

## **APPENDIX**

#### Project Planning and DPI Plan (Design) Review

A primary planning/design tool used by School Planning is the State Board of Education's publication *Public Schools of North Carolina Facilities Guidelines*, a copy of which can be found using the following link:

#### https://www.dpi.nc.gov/media/569/download

This publication provides recommendations for public school building elements and spaces. Other planning/design tools used by School Planning include computer programs that calculate needed spaces within school facilities and the sizes of those spaces (based upon anticipated capacity), and accumulated construction cost data. Additional planning/design resources are noted in the **School Planning Website Information** section of the **Appendix**.

In general, a project must be submitted to the School Planning Section of DPI for review and comment if the estimated project construction cost, per NC General Statutes, requires the design services of an architect and/or professional engineer. Projects that involve construction of building additions, major renovations or significant repairs typically fall into this category. There are some projects, however, that need to be submitted for review regardless of their estimated cost. Determining which projects fall into this category may be difficult. A table is provided in the *Facilities Guidelines* publication (referenced above) to aid designers and counties/LEAs in making this determination. The table lists the types of projects that do and do not require review by School Planning. The table is not designed to be all-inclusive, so any questions about whether or not a specific project must be reviewed should be referred to School Planning for clarification.

Project funding, whether by local revenue, debt service, donation (e.g. the Boosters Club), PSBRRF, or other sources, is not a factor used to determine if project construction documents must be submitted for review. It should be noted, however, that if a project is of the type that requires review by School Planning, <u>construction funding from the PSBRRF cannot be approved until the School Planning review process has been completed and a Certificate of Review has been issued</u>.

Plan (design) review is typically conducted as each primary design phase of a project is completed – Schematic Design (SD) Phase, Design Development (DD) Phase, and Construction Document (CD) Phase. Drawings and specifications submitted for CD Phase review should be no less than 95% complete.

Plan review by School Planning helps to ensure that proposed school facilities properly accommodate and facilitate educational programs. Comments made as part of a School Planning review will typically stress safety, longevity, durability, flexibility, economy, and efficiency of building construction systems. Design review and comments will take into consideration local program flexibility while providing accountability with respect to the *North Carolina Public Schools Facilities Guidelines*.

When submitting project documents for review, designers are to use the transmittal forms provided by DPI School Planning Section, which are available on its web page at the following link:

https://www.dpi.nc.gov/districts-schools/district-operations/school-planning/design-review#submittal-forms

Smaller projects are often managed by local maintenance personnel without involving a professional designer. Small-scale roof repair and partial roof covering replacement projects are common examples. For roofing projects such as these, the LEA should submit the Roof Replacement Submittal Form provided by School Planning. The link to the form is:

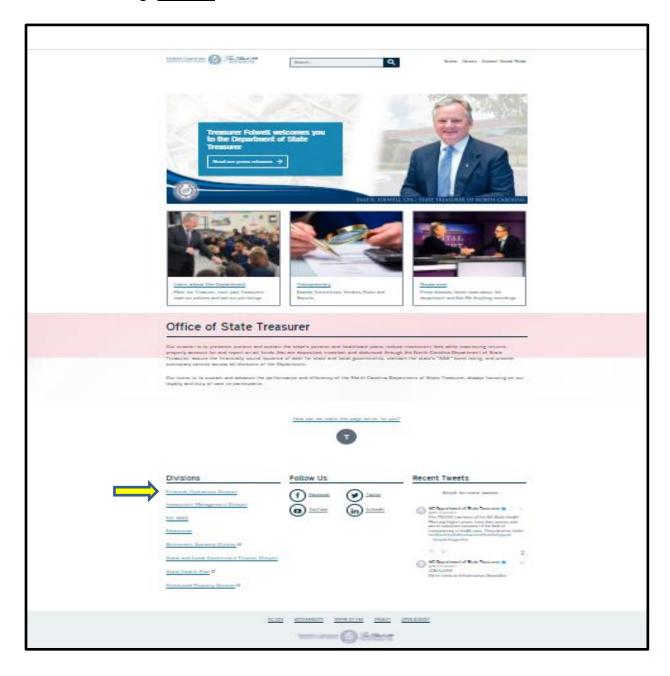
https://files.nc.gov/dpi/documents/schoolplanning/roof-submittal-form.pdf

If additional information and/or drawings are required for a roofing project, School Planning will notify the county/LEA. Otherwise, the Roof Replacement Submittal Form will be sufficient for approval of PSBRRF allocations.

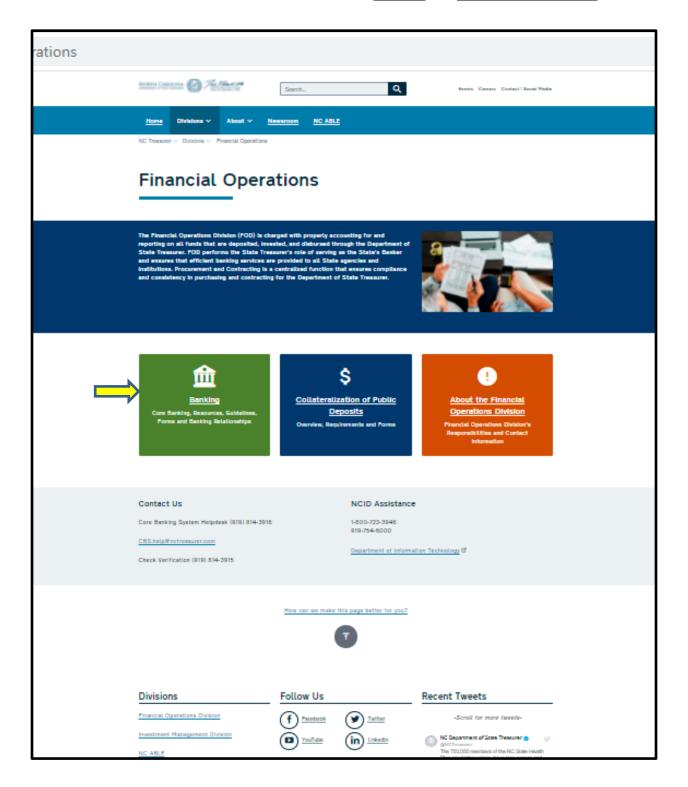
#### **Reports to State Treasurer**

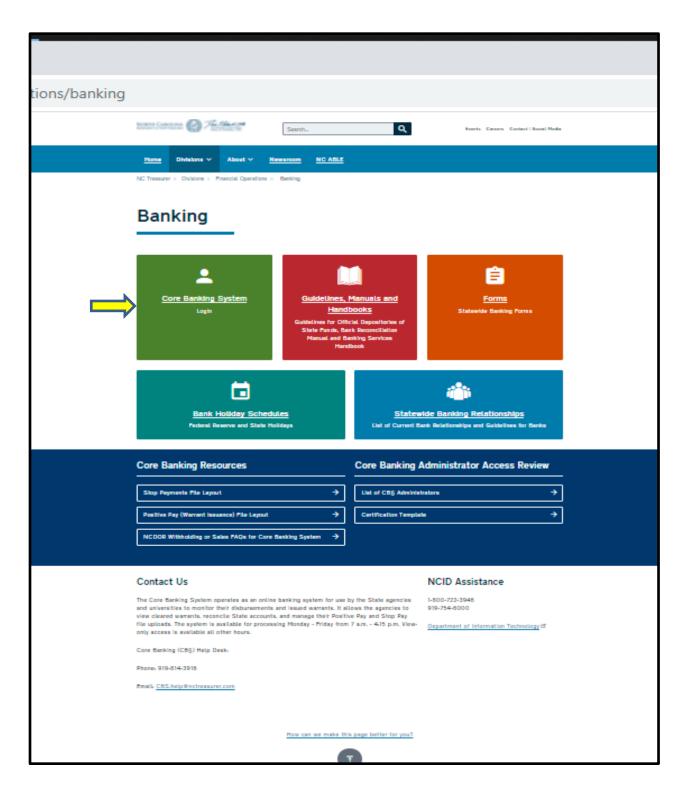
The office of the State Treasurer requires county finance officers to reconcile their disbursing account activity each month and to report agreement via a 'check box' on the Core Banking System (CB\$) website. The State Treasurer does not mail printed statements to the counties; reconciliation and review are accomplished by this electronic process instead.

To access the State Treasurer website, open an internet browser and go to <a href="https://www.nctreasurer.com">https://www.nctreasurer.com</a>. Select <a href="financial Operations Division">Financial Operations Division</a> from among the list of titles below the heading "<a href="Divisions">Divisions</a>."



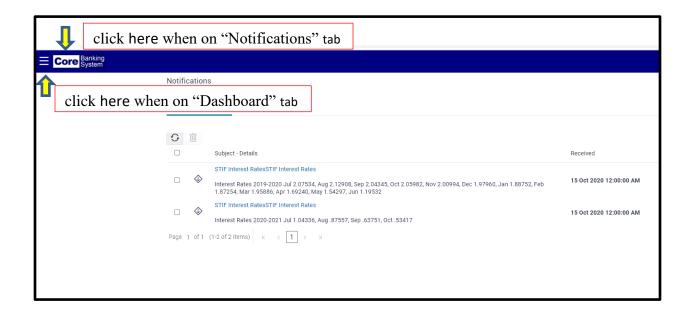
To access the Core Banking System, first click on the <u>Banking</u> and <u>Core Banking System</u> icons.



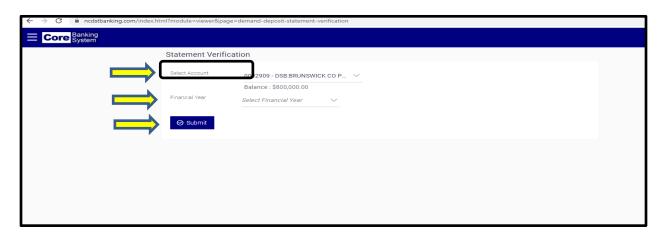


On the log-in page that opens (not pictured), use the individual ID and password provided by the Financial Services Department of DPI or by the State Treasurer's Office to log in to the CB\$.

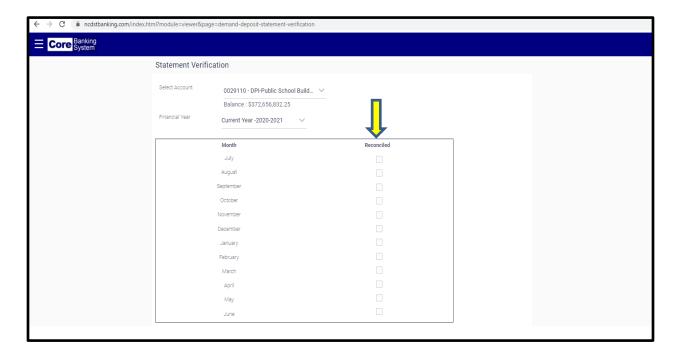
Upon log-in the tab that opens should be the "Notifications – NCDST" tab (pictured below). The screen may contain important information such as interest rates, holidays, or site maintenance. Next, access the CB\$ Dashboard by clicking on the "Core Banking System" logo at the top left corner of the screen. The tab that opens should be the "Dashboard – NCDST" tab (not pictured). To get to the Functions Menu, click on the three bars at the top left corner of the Dashboard screen, just to the left of the "Core Banking System" logo.



A menu will open in the left margin of the screen. Click on "Accounts," then click on "Statement Verification." Doing so will open a new tab entitled "Statement Verification – NCDST." Using the pull-down menu "Select Account," select/enter the applicable disbursing account. Using the pull-down menu "Financial Year," select/enter the applicable Financial Year. Click on "Submit" to open the 'check box.'



Click on the box under the heading "Reconciled" that corresponds with the applicable Month for which account reconciliation is being performed.

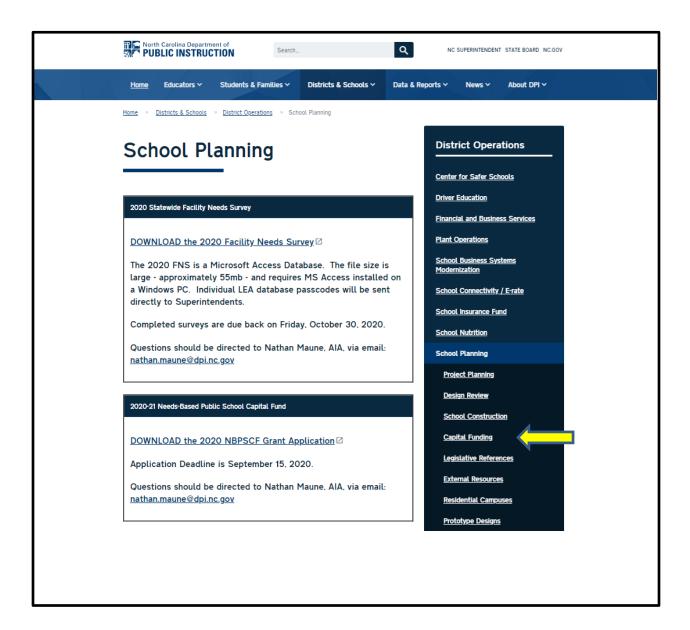


There will typically be no formal notification made to county finance officers by the State Treasurer's Office regarding disbursing account reconciliation. As administrator of the PSBRRF, School Planning will check the CB\$ website periodically to determine if the finance officers of counties to which PSBRRF funds have been allocated have complied with the provisions of **20 NCAC 1C.0402**. Notification of non-compliance will be issued by School Planning as needed.

#### **School Planning Website Information**

To access the School Planning section of the NCDPI website, open an internet browser and go to <a href="https://www.dpi.nc.gov/districts-schools/district-operations/school-planning">https://www.dpi.nc.gov/districts-schools/district-operations/school-planning</a>.

For capital funding information, select the link for <u>Capital Funding</u> in the <u>District Operations</u> menu on the right side of the School Planning home page.



The new page that opens will provide information regarding the various Capital Funds that are administered by the School Planning Section of DPI. Information regarding a specific Fund is accessed by clicking on the title of that Fund.

Capital Funding Reports are posted to the web page on a monthly basis under the title PSBCF – Public School Building Capital Fund. PSBRRF information is included in most of the following reports that are listed on that page:

Current Fiscal Year Report
Fiscal Year Totals Report
Monthly Projects Report
Monthly Needs-Based Projects Report
ADM Special Summary Report
PSBCF Special Summary Report
PSBRRF Special Summary Report
NBPSCF Special Summary Report

Back on the School Planning home page, in the menu for <u>District Operations</u>, there are links for <u>Project Planning</u>, <u>Design Review</u> and <u>School Construction</u>, as well as links for various references and resources. Selecting the link for <u>Project Planning</u> will open a page that has Headings such as "Facility Programming," "Site Design" and "Building Design." Clicking on "Building Design" will open a list of links to building design publications, one of which is the *Facilities Guidelines* publication that is referenced in the **Project Planning and DPI Plan (Design) Review** section of the **Appendix**.

It should be noted that guidelines for planning and design of public school facilities, as well as requirements and provisions associated with the PBSRRF and other capital funding sources, are subject to periodic updates, revisions and legislative changes. LEAs and Designers should always check for current editions of publications and any special information that may be posted on the School Planning home page.

Contact information for personnel responsible for administration of the PSBRRF and related funding activities (current as of the publication date of this manual) is provided the **Contact Information** section of the **Appendix**.

#### **Contact information**

#### **School Planning Section, NCDPI**

For general information about the Public School Building Repair & Renovation Fund and guidelines for PSBRRF distributions, allocations and disbursements, please contact:

Dennis R. Hilton, PE Structural Engineer / School Planning Consultant School Planning Section Phone: (984) 236-2922 dennis.hilton@dpi.nc.gov

#### **North Carolina Department of State Treasurer**

For information regarding county disbursing accounts, signature cards, account balances, etc., please contact:

Amber Straley
Disbursing Account Services Unit Supervisor
Financial Operations Division
Phone: (919) 814-3904
amber.straley@nctreasurer.com
www.nctreasurer.com

#### **Department of Public Instruction**

For information regarding access to the Core Banking System, please contact:

Denise Jackson Systems Accountant Financial Services Division Phone: (984) 236-2122 denise.jackson@dpi.nc.gov