

CONSTRUCTION FINANCING

The board shall attempt to add moneys to the capital projects fund regularly in such amounts as are available and appropriate to the district's needs as projected by the facilities master plan. Moneys in that fund which are not immediately needed shall be invested in those securities permitted by law which shall provide maximum return to the fund. In addition to those moneys, the board may consider non-voter approved debt within statutory limits and the board shall seek authority from district electors to issue bonds or levy a special capital improvements property tax assessment for school construction when specific projects are anticipated. The board shall also seek matching funds from the state board of education to the maximum extent available as well as any federal funds that may be available.

State School Construction Funds

Immediately after the board has approved the initiation of a construction project, the superintendent shall notify the state board of education of the board's intent. All studies, notices and other requirements established by the state board of education as conditions for eligibility for state construction grants shall be completed by the superintendent.

The advice of the state superintendent of public instruction shall be solicited in order to assure the district's eligibility for state financial assistance.

Non-Voter Approved Debt

If the board decides it is prudent, it may authorize the issuance of non-voter approved debt within statutory limits to purchase facility sites; improve energy efficiency of buildings; or acquire, remodel or repair school facilities. Statute limits non-voter approved school district debt to three-eighths of one percent of the value of the taxable land within the district.

Before the board can 1) issue a onetime indebtedness in excess of two hundred fifty thousand dollars (\$250,000) of the statutory authority, 2) incur a cumulative indebtedness in excess of two hundred fifty thousand dollars (\$250,000) within six (6) consecutive months, or 3) incur additional indebtedness in excess of thirty-five percent (35%) of its total statutory authority through the use of non-voter approved debt, it shall publish notice of intent to use non-voter approved debt and shall hold a public meeting on the proposal. The notice to hold a public hearing must include the date, time and location of the public hearing. The notice shall also include the intent, amount of the indebtedness, and must provide the means identified for repayment of the indebtedness through the use of non-voter approved debt. The notice of public hearing shall state that any person may appear and be heard on the issue. The notice shall be published 1) at least once each week for two consecutive weeks in a newspaper of general circulation in Skagit County, and 2) on the district website continuously for at least two (2) weeks prior to the hearing.

Bonds

If the board determines that there are insufficient moneys in the building fund for a construction project, the board chooses not to authorize an election for a capital levy, and the district's limit on bonded indebtedness has not been reached, the board shall authorize an election to seek the approval of voters to issue bonds in the amount needed for the project.

The legal requirements for bond elections and subsequent issuance and redemption of bonds

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shall be met. The resolution adopted by the board calling for the bond election shall specify the purposes of the bond including the specific buildings to be constructed or remodeled and any other purposes authorized in RCW 28A.530.010. The board resolution shall also describe the specific purposes the board anticipates for using any state financing assistance, if any. If circumstances alter the purposes for which the board believes it is in the best interest of the district to use the state funds or those raised through the bond, the board shall conduct a public hearing to consider the circumstances and to receive public testimony. At a meeting subsequent to the public hearing the board may either amend its original resolution or adopt a new one describing the specific purposes to which the state and/or bond funds will be put.

Upon the sale of bonds duly authorized as prescribed by law, the proceeds shall be credited by the county treasurer to the appropriate fund of the district.

Notice of intent to apply for state school construction funds shall be submitted to the state board of education prior to submitting a bond proposal to district voters.

Legal References:	RCW 28A.320.310	Investment of building funds — Restrictions
	RCW 28A.525.020	Duties of state board of education
	RCW 28A.525.080	Federal grants — Rules and regulations
	RCW 28A.530	District Bonds for Land, Buildings and Equipment
	RCW 28A.530.030	Disposition of bond proceeds — Capital projects fund
	RCW 28A.530.080	Additional authority to contract indebtedness
	RCW 39.36.020	Limitation of indebtedness prescribed
	WAC 392-123-180	Bond Proceeds

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