



Prepared for:
**The Ohio School Facilities Commission and
The Toledo Public Schools**

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**Team Process
Review of the
Accelerated
Urban
Initiative:
Toledo Public
Schools**



The Ohio Urban University Program

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Executive Summary

A review of the Ohio School Facilities Commission (OSFC) and Toledo Public Schools (TPS) team school construction process revealed that, across most measures, the partnership is mutually successful. The OSFC and the TPS are engaged in a collaborative partnership to rebuild school facilities in the Toledo school district. The OSFC/TPS partnership demonstrates a shift in the conceptual framework utilized historically by the state of Ohio when responding to school capital construction issues. The current framework reflects a shift from the conventional and dictatorial partnership model in place for more than 40 years, to a more progressive model that reflects mutual flexibility, adaptability, and commitment by the partners.

Ohio has embarked upon a progressive school capital construction program for its 613 school districts that is yielding unexpected outcomes. The state's school construction program is receiving national recognition and was cited in *Governing Magazine* as "remarkably well managed, with a lot of upfront communication among contractors, school districts, the Ohio School Facilities Commission and local communities."

Planning, Process, and Partnership

Ohio's school construction program is administered through the OSFC, established in 1997 by the General Assembly to fund, manage, and oversee the construction and rebuilding of the state's schools. The state committed a 12-year funding stream to accomplish the capital upgrades beginning in 1999 with the initiation of its Rebuilding Ohio's Schools program.

The OSFC administers multiple assistance programs that address facilities problems within the school districts. The Accelerated Urban Initiative, the second largest of the nine programs, provides accelerated funding for school facilities in Ohio's six largest school districts located in urbanized areas. The Rebuild Ohio's Schools plan established a financial partnership between the OSFC and the local school districts, with state and local funding components. Of the total projected cost of \$5.74 billion for capital upgrades to its urban schools, \$2.95 billion will be at state expense.

The OSFC and the school districts are also partners in the facility planning process and throughout completion. In addition to shared funding

responsibilities, both hire outside professionals, and authorize all decisions and documents. Each helps to coordinate the efforts of the Project Core Team, which is comprised of OSFC and school district representatives, and the contracted construction and design professionals. The Project Core Team oversees the implementation of the Master Facility Plan – the blueprint for the scope and budget of the capital construction project. This partnership has resulted in total disbursements exceeding \$3 billion since 1997 and continues at an average of \$2 million per day. As of December 2004, the OSFC was working with 318 school districts and had opened 290 new or renovated schools across the state.

Much of the success of the OSFC/school district partnership can be attributed to the development of a Partnering Model that is designed to identify and resolve issues and disputes *before* they become problems. Prior to 1999, more than 50 percent of Ohio public school construction projects involved adjudication. Since the implementation of this model, all disputes have been resolved with no litigation.

The relationship between the OSFC and the school district throughout the school building program has led to a paradigm change from how the state and the school districts have historically worked together. Six major drivers contributed to this paradigm change:

1. The creation of the OSFC
2. The infusion of the Rebuilding Ohio's Schools program
3. The implementation of the Partnership Model
4. The commitment by the partners to dispute resolution
5. The flexibility and adaptability of the OSFC and the school district
6. The commitment and determination by the OSFC and the school district for success

Each driver indicates a willingness to change past dictatorial procedures and a willingness to accept accountability for the results of these changes.

The Toledo School District

The TPS is one of six urban school districts that has begun implementing its rebuilding program. Toledo's Master Facility Plan calls for the construction of 57 new schools and the renovation of seven schools over a 10- to 12-year period. The estimated cost of the project is \$798 million, of which \$614 million will be state funded (77 percent) and \$183 million will be funded by TPS (23

percent). Project work is divided into six manageable phases or segments. During 2003, TPS identified sites, acquired land, and designed buildings for its Segment One schools. A construction team was hired by the OSFC and a design team was hired by the TPS to initiate the Master Facility Plan.

TPS staff work with the OSFC to manage the daily responsibilities of implementing the building program. The TPS has created an internal and external system of communications to better disseminate, relay, and exchange information critical to managing the program. The TPS Board of Education formed a Board OSFC Building Committee to keep board members apprised of the program as it progresses. Partnering meetings, weekly project design meetings, monthly master plan meetings, scheduling meetings, action meetings, planning group meetings, and weekly group meetings have been integral to building a level of trust and confidence among the partners. More than 100 community forums were conducted by the TPS in the learning communities to introduce the project to the neighborhoods. A Community Oversight Committee was also established by the TPS Board of Education as a conduit between the board and the community. School Improvement Leaders also facilitate project activities within each learning community.

Critical Issues and Requirements for Success

The sincerity of commitment between the OSFC and the TPS resulted in the progressive implementation of Toledo's Master Facility Plan. The advancement through the planning to construction stages of the first segment revealed situations and issues that impacted the costs, timing, and pace of the school building process. Although most of these issues were resolved for Segment One, they could reoccur in future segments without proper planning and management by the OSFC and the TPS.

Issues Unique to Urban School Districts

The TPS considers its school rebuilding program a community-wide urban revitalization initiative. As such, several distinctions between the urban and rural/suburban school programs were realized that affect partner communications, and how planning and building decisions are made. The scarcity of land in an urban environment and infrastructure issues regarding zoning, rights-of-way, and utilities have contributed to delays in the design process. Rebuilding on land previously used for commercial or industrial purposes has revealed environmental issues such as chemical contaminants

that add costs for cleanup not typically present in undeveloped land. Including and managing larger urban constituencies through the planning and construction process requires extensive amounts of time, effort, and meetings. This slows the planning process due to the number of decisions and constituents that need to be incorporated. Aspects of timing and sequencing of events within the Master Facility Plan should allow for the complexity and magnitude of urban community involvement and planning issues.

Contrasting Missions

There is a juxtaposition of missions between the OSFC and the TPS that is creating a sense of impatience with the rate of progress on the part of the OSFC regarding Toledo's school rebuilding program. The OSFC's mission is to fund, manage, and offer technical assistance for rebuilding Ohio's schools. Toledo's mission centers on three elements: (1) the education and success of students; (2) community engagement and outreach; and (3) community revitalization. These elements are interactive in the school facilities construction agenda, implementation, and timing, resulting in a somewhat time-protracted decision-making rebuilding process. Thus, the different yet overlapping missions and imperatives of the OSFC and TPS result in the OSFC's concern for the pace of progress in the Toledo school building program. The relationship between the OSFC and the TPS is one such that both partners can continue to communicate to resolve issues that may impede the accomplishment of the school building program.

Fluctuating Student Enrollment

A fundamental element of the Master Facility Plan is projecting future student enrollment figures to establish parameters for building design. Projecting student enrollment over the duration of the planning period is important to the planning process, as is the objective to determine the capacity for which the building should be designed. In Toledo, updates to TPS enrollment projections indicated an *overall* decline in student enrollment over the segmented planning period. The projected enrollment for elementary age students had increased, while projected enrollment for middle age students had decreased. This resulted in revisions to the original TPS Master Facility Plan, thus causing significant delays in the process.

Inflexibility of the Planning Model

Changing student enrollment projections have been noted within the

large urban school districts and this has placed the Master Facility Planning process in a state of flux. Schools create Master Facilities Plans for Segment One facilities based on enrollment projections in effect during that time. Changes in enrollment projections force the school districts to take a backward look and revise what was previously agreed upon in the Master Facility Plan. This is done while simultaneously in the process of planning for the implementation of future segments. The current OSFC school construction guidelines detailed in the *Ohio School Design Manual* don't allow for the flexibility of backward and forward planning, causing major setbacks in the school rebuilding program. As previously mentioned, aspects of timing and sequencing of events within the Master Facility Plan should allow for the complexity and magnitude of urban community involvement and planning issues.

Peer Level Communications

There appears to be a misperception in the structure of communicating at “peer to peer” levels of authority between the TPS and the OSFC. Communications relevant to the school rebuilding program currently with the OSFC and the TPS occur between the OSFC Executive Director and the TPS Business Manager, rather than between the OSFC Executive Director and the TPS Superintendent. This contributes to stalled decision-making, as the TPS Business Manager must repeat the communication to the TPS Superintendent and await any needed decisions.

Impediments to Decision-making

There also appears to be a mismatch between responsibilities and authority levels within the TPS. Project Core Team members frequently communicate and the numerous meetings offer a platform for information flow; however, key decisions regarding the building program must be approved by the TPS Superintendent and the Board of Education. Frustration mounts when the project manager is not allowed decision-making authority on certain issues. The Business Manager must appeal to the Superintendent and Board of Education for decisions, and then remit these decisions to the project manager and team members. This top-down decision-making style impedes progress and causes delays in implementation of the Master Facility Plan. This indicates a need for more frequent interaction with decision-makers, or changes in decision-making policy that empower certain “front line” individuals with authority to make decisions in certain areas.

There is an excellent communications infrastructure in place in the school district. However, while the frequent meetings result in an informed team, the number and frequency of the meetings also impair productivity. This is due to the limitations of the current decision-making process in that those with decision-making authority are not present for the many meetings and discussions revolving around an issue. By empowering certain “front line” individuals with decision-making authority, this approach may alleviate the need for some meetings and will help to increase the pace of the Master Facility Plan.

Staffing Issues

The skills and experience of the TPS staff are well suited to manage the school construction program. However, it was overwhelmingly acknowledged that the number of staff for the operation of the program is inadequate. There is clear concern that the school district’s staff resources are stretched much too thin given the tasks required for this program *in addition* to their respective job duties. Perhaps the most important issue affected by staffing limitations may be the inability of the school district to respond efficiently and effectively to needs requiring immediate attention.

An additional concern is that institutional knowledge and expertise could be lost if it is vested in one individual, and that individual were to leave the school district. The building program also extends for such a long period of time that the individual may leave the school district through retirement or for other reasons. Small shifts in staffing can have large impacts on the school building process. The bottleneck caused by lean staffing and lack of lower-level decision-making authority causes delays and costs money.

Introduction

The Ohio School Facilities Commission (OSFC) engaged the Center for Public Management (PM) at Cleveland State University to conduct a “Team Process Review” of the OSFC new construction and rehabilitation program with the urban school districts in Ohio. The Team Process Review (TPR) was designed to identify the character and status of the “partnership” between the OSFC and the Toledo Public Schools (TPS). This partnership approach, based on the joint development of goals and objectives as well as a cooperative management model, marks a significant departure with the historic strata driven relationship between the state government and the local school districts. This report of the Team Process Review will assist the OSFC in meeting legislative reporting requirements for the school construction program and also contribute to a continuous improvement approach to subsequent Accelerated Urban Initiative district reviews.

The Team Process Review scope of work utilizes primary and secondary research, collected through the interviews with the principals of each organization and the review of their financial, operating, and planning data and information. The resultant information was assembled and analyzed to identify the partnership’s design for intra-partner missions and goals, communications, planning, flow of work, and decision-making structure.

The OSFC and PM initiated the TPR project with a facilitated planning session, engaging the OSFC and the TPS in a dialog of the project design and program. The facilitated session resulted in the establishment of a consensus across the partnership on the goals and scope of work for the project.

The PM project staff conducted interviews with the principals of the OSFC and TPS to review (see the list of interviewees in the appendices section of the report) the breakdown of the operating procedures and how the procedures are organized across the partners. Interviews with OSFC and TPS principals, conducted in Columbus and Toledo respectively, were conducted with a questionnaire to insure a consistent approach to the information needs.

The information on policy, process and communications obtained in the interviews with principals was bolstered with information obtained by a review of OSFC and TPS project documents such as master plans and updates, project agreements and contracts, and meeting minutes, as well as personal interviews

with project stakeholders and their representatives. A summary of the scope of services is reflected in Table 1 below.

Table 1

Level 1 Assessment	Level 2 Assessment
Documentation Review	Documentation Review
Approval Process	Design Process
Scheduling	Team Selection
Staffing of Owner Stakeholders	Interface with Public Process
Relationship of Owner Stakeholders	
Meeting Structure and Communications	

The PM project staff conducted a national scan for “best practices” in state programs to construct primary and secondary schools. The catalog of those best practices was utilized during Segment One to ensure continuation of those practices during Segment Two, and to make recommendations and suggestions for continuous improvement for performance during future segments.

The Team Process Review report is organized into eight sections designed to explore the OSFC/TPS partnership and define the level of efficiency and effectiveness in the process. Each section is designed to define the particular issues and processes that affect the partnership.

The *State/School District Capital Construction Partnership Model* section describes the history of the state role in school construction, as well as the model of the OSFC/school district partnership.

The *Toledo Partnership* section describes the scope of the redevelopment of the Toledo Public School District and the character of the partnership with the OSFC.

The *Partnership: A Changing Paradigm* section describes the change in the approach of the OSFC in structuring and operating the partnership between the state and the urban school district.

The *Urban Imperatives* section describes the broader economic framework of obstacles and expectations guiding the urban school redevelopment efforts. The complexity of the redevelopment process in urban

settings, as well as the opportunity for economic impacts resulting from the massive investment, separate these efforts from those in suburban and rural settings.

The *Juxtaposition of Cultures and Mission* section describes the often contrasting nature of the goals and mission of the OSFC and the TPS in the redevelopment effort. The complexity of the school's urban redevelopment effort and how it impacts the timing and expectations on the pace of the project is also described.

The *Communications* section describes structure and character of the avenues of communication between the OSFC and the Toledo Public School District.

The *Space and Pace* section describes the dynamics and timing between planning and construction.

The *Appendix* catalogs in three sections those OSFC and TPS staff interviewed, the state-by-state comparisons of best practices, and the references and sources of information and documents utilized in the Team Process Review study.

The State/School District Capital Construction Partnership Model

The state of Ohio is engaged in a long-term, comprehensive program to rebuild Ohio's primary and secondary public schools. This role has evolved significantly in recent years as the state has increased its involvement in funding and management, prompted by school funding litigation. In order to oversee its substantial investments, the state has established a well-defined partnership with local school districts with regard to the school construction program.

Background

Prior to the 1990's, the state viewed school district capital development as a "local" issue of responsibility, contributing little toward the construction of school facilities. The state initiated a program in 1957 to provide interest-free loans to districts for constructing school facilities. However, the local property taxpayers were ultimately responsible for the repayment of those loans. More active involvement began in 1990 when the General Assembly began to appropriate portions of the state lottery profits for the School Building Assistance Program (see Table 2). The legislature later revised the program to provide greater benefits to lower wealth districts and to generate additional funds through bond sales. While the revamped program was also primarily interest-free loans, many lower wealth districts were limited in the amount that they had to repay.

Table 2

TIMELINE FOR OHIO SCHOOL CAPITAL FUNDING	
Pre-OSFC	
State begins its interest-free loan program to help finance school construction.	1957
HB 920 becomes effective – limits the extent to which voted property taxes can increase due to property appreciation.	1976
OH Dept of Education assesses condition of school facilities in OH. The resulting report, <i>1990 Public School Facility Survey</i> , documented to needs of \$10 billion.	1989
General Assembly begins to appropriate portions of Lottery profits for School Building Assistance Program.	1991
General Assembly revises program to more clearly benefit lower wealth districts and provide over \$60 million in bond funds.	1993
General Assembly authorizes another \$70 million in bond funds.	1994
Post-OSFC	
SB 102 establishes the OH School Facilities Commission. State of OH permits new community schools in Big 8 Urban Districts. Funding for these schools shifts along with the students.	1997
Gov Taft announces his “Rebuilding Ohio Schools” program to address school facilities problems. Total funding of \$23 billion, includes state funds of \$10.1 billion. Portion of state share will be funded from tobacco settlement money. Community schools permitted in 21 urban districts.	1999
General Assembly approves Governor’s plan. SB 272 creates Accelerated Urban Initiative for Big 6 districts. Community schools permitted in any school district designated as an academic emergency district.	2000
There are 68 community schools (charter schools) with total enrollment of 16,717.	2001
There are 93 community schools with total enrollment of 22,850 using \$139.9 million in state funds.	2002
There are 134 community schools with total enrollment of 33,704 using \$204.8 million in state funds.	2003
There are 179 community schools with total enrollment of 45,880 using \$305.5 million in state funds.	2004

In 1997, the Ohio Supreme Court ruled the state’s system of education finance unconstitutional (*DeRolph v. State*) and ordered the state to change:

1. The Foundation Program;
2. The over-reliance on local property taxes (for financing schools);
3. Forced borrowing; and
4. Insufficient state funding for school buildings.

The state increased its commitment to fund school buildings by replacing loans with grants and boosting its funding levels. In September 1999, Governor Bob Taft presented the “Rebuilding Ohio’s Schools” program to address the facilities problems in each school district around the state. A state commitment

of \$10.2 billion would leverage local matches of \$12.9 billion over a 12-year period. The Governor's plan was enacted in September 2000 by the General Assembly (including use of proceeds from tobacco settlement money). Since 1998 (FY 1998 – FY 2004), the state of Ohio has appropriated \$3.46 billion towards school construction in contrast to only \$509 million in the prior 40-year period (FY 1957 – FY 1997). These trends are reflected in Figure 1.

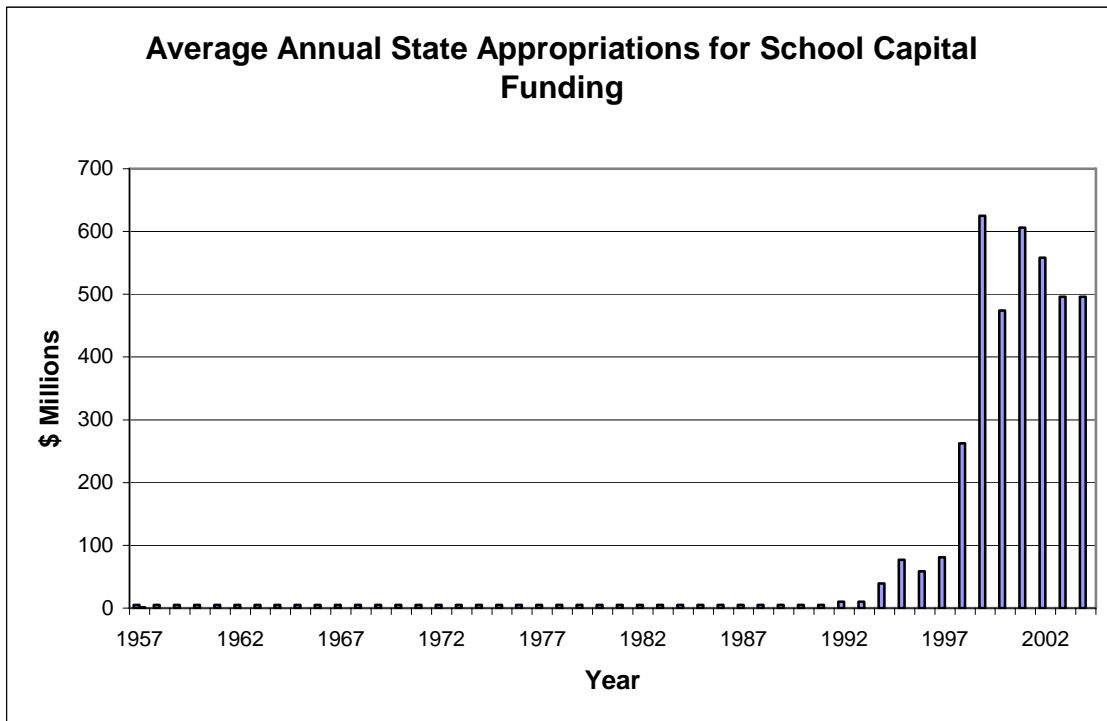


Figure 1

The Ohio School Facilities Commission

The Ohio School Facilities Commission (OSFC) was created in May 1997 by the Ohio General Assembly with a mission to provide funding, management oversight and technical assistance to school districts in the construction and renovation of educational facilities. Prior to its formation, such programs were administered through the Ohio Department of Education.

The Commission has seven members – three voting members and four non-voting members. The voting members are the Director of the Department

of Administrative Services, the Director of the Office of Budget and Management and the State Superintendent of Public Instruction. The non-voting members are from the General Assembly, two members from each chamber and two members from each political party. Table 3 lists the current Commission members.

Table 3

OHIO SCHOOL FACILITIES COMMISSION MEMBERS		
Name	Office	Voting Status
Thomas Johnson, Director (Chairman)	Office of Budget & Management	Voting Member
Scott Johnson, Director	Department of Administrative Services	Voting Member
Dr. Susan Tave Zelman, Superintendent of Public Instruction	Ohio Department of Education	Voting Member
The Honorable Larry Mumper	Ohio State Senate	Non-Voting Member
The Honorable Teresa Fedor	Ohio State Senate	Non-Voting Member
The Honorable Clyde Evans	Ohio House of Representatives	Non-Voting Member
The Honorable Timothy Cassell	Ohio House of Representatives	Non-Voting Member

Internally, the OSFC is led by an Executive Director with a staff of 51 employees to implement its mission and objectives. An executive staff assists the Executive Director in the administration and implementation of the school building program. Members of the executive staff include the Chief of Projects, the Chief of Planning, the Legislative Liaison, the Chief of Policy and Legislation, the Chief Financial Officer, the Chief of Communications, and the Chief of Information Technology. Also essential to the execution of the school capital construction program is the Deputy Chief of Projects, who is responsible for contract negotiations and other program initiatives.

Ohio is one of only four states in the country that administers its school building program through an entity other than its department of education. While the OSFC is a creation of the legislature and receives its funding through legislative appropriations, the voting power of the Commission is held by its members, who represent state departments (refer to Table 3).

The OSFC administers multiple assistance programs. The largest is the Classroom Facilities Assistance Program (CFAP) that begins with the state's lowest wealth districts and provides funding for all of a district's facilities needs. The second largest program is the Accelerated Urban Initiative (AUI), which provides accelerated facilities funding for the state's six largest districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo). Other programs include Exceptional Needs, Expedited Local Partnership, Emergency Assistance, Energy Conservation, Federal Emergency Repairs, Community School Facility Loan Guarantee, Extreme Environmental Contamination Program, Vocational Facilities Assistance (VFAP), VFAP Expedited Local Partnership, Short-Term Loan, and Facilities Assessment programs.

The Partnership

The Rebuild Ohio's Schools plan established a financial partnership between the state and the local school districts, with state and local funding components. The state developed an administrative program (OSFC) to mirror the financial partnership – a partnership that allows the state to prioritize, expedite, and standardize the program – all of which are important goals for a statewide funding organization. Likewise, local school districts benefit from the state's monetary support, project expertise, and standard operating policies and procedures that jump-start their capital programs, yet leave much of the design decisions to community stakeholders.

The state and the school district are partners from the beginning of the planning process through completion. In addition to their shared funding contributions, each party hires outside professionals, authorizes all decisions and documents, and helps to coordinate the work of the Project Core Team.

The Project Core Team consists of a Planner and/or Project Administrator from the OSFC, school district representatives, key employees of the Construction Management firm (CM), which is hired by the OSFC, and the Design Professional group (AE), which is engaged by the school district. These relationships are reflected in Figure 2 below.

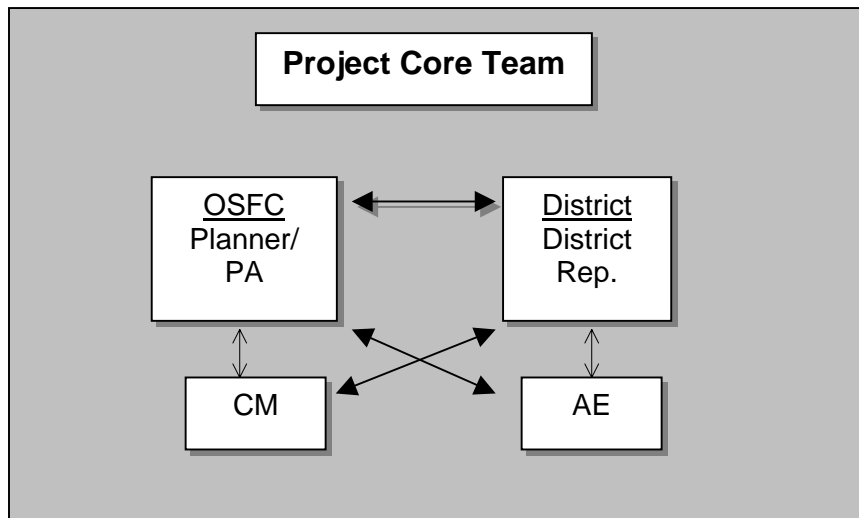


Figure 2

The Project Core Team is responsible for creating and implementing the school district's Master Facilities Plan, which describes the scope of the project and the total project budget. As summarized below, each step of the Master Facilities Plan requires regular interaction, communication, decision-making, and approvals on the part of the members of the Project Core Team and the organizations they represent.

Pre-Planning: The District establishes a partnership with the community. The partners determine a shared vision for the educational program and facilities.

Planning, Approval, and Funding: Assessment Consultants and Educational Planners, both hired by the OSFC, evaluate building conditions and project future enrollments to establish planning parameters. The Master Facilities Plan is developed (entire project core team), a site is selected (District and AE) and funding is secured (District and OSFC).

Contracting: Agreements and contracts are established between the OSFC and the District for the project. The District hires an AE (design/architectural professional group). The OSFC hires a CM (construction management firm whose responsibilities include scheduling, estimating, and providing overall coordination for projects). The Project Core Team develops the Program of Requirements (POR), or basic square footage allocations for each space within the building.

Design: Based on the POR and the OSFC *Ohio School Design Manual*, the AE develops a schematic design, a detailed design, and the construction documents. All of these phases must be approved by the Project Core Team before the next step occurs.

Bidding: All members of the Project Core Team evaluate the bidders. The OSFC and the District approve and execute the contracts.

Construction: The Project Core Team and the Contractors work together to construct the building. The Project Core Team holds regular meetings to review progress and to monitor budgets, schedules, project quality and change orders. The District hires a Maintenance Plan Advisor and a Commissioning Agent (optional).

All members of the project core team are heavily involved, but the two co-owners (OSFC and TPS) are responsible for the end result. It is incumbent upon the co-owners to collaborate with community stakeholders, to identify and acquire land, to move the project forward, to oversee contractors, and to ensure that the schedule and the budget are maintained.

Partnering Model

The OSFC has implemented a Partnering Model that brings the school district, OSFC, design professionals, and construction management team together at the beginning of the project. With the help of professional process facilitators, the project team establishes working relationships and communication channels, and defines roles, schedules and other objectives that must be met for the project to be successful. After bids are received and trade contracts are awarded, the same participants (along with the contractors) convene with the professional facilitators to establish lines of communication, action plans, and a dispute resolution process for the project. With over 4,000 trade contracts awarded, the partnering model has helped to resolve issues before they become problems and to keep litigation at a minimum.

The Partnering Model was introduced in 1997 by the OSFC. No known professional facilitated partnering sessions were conducted for the school construction program prior to this time. With the initiation of the Rebuild Ohio's Schools program in 1999, the OSFC realized the conflict potential of multiple construction projects beginning in the hundreds of school districts across the state. Facilitated sessions between the OSFC and the school districts, known then as the Dispute Management Program, began in 1999 in an effort to

circumvent potential conflicts throughout the facilities rebuilding process. Prior to 1999, more than 50 percent of Ohio's public school construction projects involved adjudication (litigation existed). According to the OSFC, each dispute that arose since the implementation of the Partnership Model was resolved with no litigation.

The design of the Partnering Model is such that it allows the OSFC and the school district to collaboratively plan and make decisions for construction and rehabilitated buildings, and to define what will move the school district forward into the future. This model is a radical change in how states have historically dealt with issues of capital investment and subsidy. The facilitator is brought in as the partners begin the program, and any issues and/or disputes are identified and *settled before* the planning and construction begin. In essence, the model "self-corrects" the situation before it evolves. Because the concept is so different than past procedures, the OSFC and the school district begin working on issues and/or disputes as they arise in the work session in an unstated continuous improvement format. Through this process, the partners understand what's at stake, thus fostering responsible behavior, and as such, hold themselves accountable for the success or failure of the program.

The Results

The partnership between the OSFC and local school districts across the state (supported by legislative appropriations) has resulted in total disbursements exceeding \$3 billion since 1997 and continues at \$2 million per day. As of December 2004, the OSFC was working with 318 school districts and had opened 290 new or renovated schools across the state.

All six of the Accelerated Urban Initiative districts have acquired local funding and five of the six were scheduled to break ground in 2004. The projected cost for the six plans totals \$5.74 billion, of which \$2.95 billion will be paid by the state. This program includes over 500 buildings and approximately 16 percent of the state's student population.

The Toledo Partnership

Background

The Accelerated Urban Initiative was created in May 2000 by SB 272 as a means of dealing with the magnitude and complexity of the big city school districts' rebuilding programs. The OSFC formally approved the master plans for all six districts on July 23, 2002, and all six districts have acquired their local funding.

The mission of the Toledo Public School District (TPS) is to educate students and to build schools that enhance, support, and facilitate educational processes. The TPS Board of Education initiated its "Building for Success" program in January 2001. It has described the program as the single largest building project in the history of the City of Toledo, one that will transform the landscape and improve educational opportunities for generations.

Between January 2001 and May 2002, the OSFC and education planners DeJong and Associates, Inc., along with a Steering Committee (TPS parents, school board members, business community representatives, union leaders and others) worked to compile databases, conduct and review building assessments, hold numerous community dialogues, and draft a Master Facility Plan. The TPS Board of Education approved the Master Facility Plan in May 2002.

Toledo's original Master Facility Plan recommended that all educational facilities be modernized through building replacement or renovation. The following projects were divided into six segments and were to be completed over a 10- to 12-year period:

1. Construct 39 new elementary schools
2. Renovate three elementary schools
3. Construct one combined elementary/middle/high school
4. Construct 12 new middle schools
5. Renovate a combined middle/high school
6. Construct five new high schools
7. Renovate two high schools
8. Renovate an aviation education center

The estimated cost of the project is \$797.8 million, of which \$614.3 million will be funded by the state (77 percent), and \$183.5 million will be funded by the TPS (23 percent). The TPS will also provide 100 percent of the \$23.6 million in Locally Funded Initiatives, which are those items not funded by the state, such as auditoriums, sports stadiums, and land acquisition.

The Master Facilities Plan defined the schools that were in each of the six segments, along with a timeline and a budget for each. Segment One consists of three new high schools, four new middle schools, two new elementary schools and a renovated middle school/technology academy. A segmentation approach allows the work to be divided into manageable phases and for the school district and the OSFC to gauge the performance of design and construction management firms before extending their contracts to future segments. It also provides an opportunity to evaluate enrollment projections and assessment updates prior to the approval of additional segments. The TPS also used the segmenting option as a means of ensuring that rebuilding projects were spread evenly throughout the district. Table 4 below illustrates planned segments one through six.

Table 4

TPS SCHOOL FACILITIES SEGMENTS					
Segment 1	Segment 2	Segment 3	Segment 4	Segment 5	Segment 6
3 New High Schools	4 New Middle Schools	2 New High Schools	5 New Elementary Schools	8 New Elementary Schools	9 New Elementary Schools
4 New Middle Schools	10 New Elementary Schools	1 New Middle School	2 Renovated Elementary Schools	2 New Middle Schools	1 New PK-12 Combination School
2 New Elementary Schools		5 New Elementary Schools		1 Renovated High School	1 New Middle School
1 Renovated Middle/Technical Academy				1 Renovated Aviation Center	1 Renovated High School
					1 Renovated Elementary School

School district voters approved a levy on November 5, 2002, by a 51.2 percent affirmative vote authorizing \$183.5 million general obligation bonds to pay the local share of state-supported construction, a .5 mill property tax for maintaining facilities, and \$23.6 million to pay for Locally Funded Initiatives. A portion of this authorization was utilized in May 2003 when \$72.5 million in General Obligation School Facilities Improvement Bonds were issued.

In January 2003, the TPS and the OSFC entered into a Project Agreement for the Classroom Facilities Project. This agreement formalized the state and local shares of the project (77 percent state and 23 percent school district) and stipulates that any cost overruns will be shared in the same proportion, as will investment earnings on construction funds.

During 2003, sites were identified, land was acquired, and buildings were designed for Segment One schools. Land acquisition activities were more time-consuming than expected but the process resulted in a more proactive approach by the project team. Further, there is more time to conduct these activities for the later segments due to the time required to construct previous segments.

At the end of 2003, an enrollment review was conducted that indicated the TPS would have approximately 5,000 fewer students overall through the planning period than had originally been projected. The projected student enrollment for elementary age students had increased for the planning period, while projected middle school student enrollment decreased. Adjustments to the Master Facilities Plan were deliberated through the first half of 2004, and in August and September, the Board of Education approved the changes recommended by the Project Core Team. The Master Facilities Plan amendments postponed some of the larger, more expensive projects to later segments (middle schools) and moved up some of the smaller, less expensive projects (elementary schools) to earlier segments.

In the spring of 2004, the first bids were received from trade contractors on Segment One buildings. The bids came in significantly higher than anticipated in the project budgets due to rising costs of steel and petroleum products. Value engineering methods were used to revamp the projects in a way that would cut costs but not alter the structural integrity and design of the buildings. In July, ground was broken for four schools, with another two scheduled to go out for bid. Students were expected to occupy the new buildings in the fall of 2005.

Project Team

The OSFC role in managing the TPS project is handled by a Project Administrator and an acting Planning Director. The Planning Director is more involved in the planning aspects of the project and the Project Administrator is more involved in project implementation. The Project Administrator is in Toledo two days each week and is a key member of the Project Core Team.

The TPS role in managing the project is handled by the Board of Education and the Superintendent, who are ultimately responsible for the end product. The Business Manager is the Superintendent's direct point of contact on the project, and the Assistant to the Business Manager and his secretary have day-to-day responsibility for implementation (implementation staff). The TPS has also engaged several outside attorneys to assist in related legal matters such as land acquisition issues; city, county and state regulations; and contractual matters.

No additional TPS district staff members were hired to implement the Building for Success program. School districts are not allowed to use state capital funds for that purpose, and the TPS's financial situation has not permitted it to fund staff from its own operating budget.

To streamline the process, the TPS Board of Education established the Board OSFC Building Committee, a two-member committee comprised of members of the TPS Board to focus on the project. This committee keeps the board informed of the project and can make some decisions, but all major decisions must be approved by the full board.

The TPS financial staff for the project is headed by the Assistant Treasurer, who reports to the Treasurer. The financial team is responsible for issuing bonds, reviewing contracts, paying invoices, and ensuring that figures are in line with those of the construction manager. The Assistant Treasurer meets with the implementation staff every two weeks and with the construction manager monthly.

In 2002, the OSFC hired Lathrop/Gant/Barton Malow, LLC (LGB) as the construction management firm for Segment One. There is a Reservation of Right clause in their contract to extend their services for the additional segments. The LGB construction management team is comprised of The Lathrop Company, R.Gant, LLC, and Barton Malow. The Lathrop Company,

Maumee, Ohio, provides design/build construction and construction management services in addition to traditional contracting work. It is a subsidiary of the Turner Construction Company, the largest general builder in the United States. R. Gant, LLC, is a minority-owned general contractor/construction manager with headquarters in Toledo, Ohio. The Barton Malow company offers design, program management, construction management, design/build, general contracting, technology, and rigging services to various industries nationwide. It is headquartered in Southfield, Michigan, and has offices in Columbus, Ohio, and in five other cities across the country.

The LGB team has 24 full-time and 12 part-time staff members who are designated to work on the Toledo project. Their team is divided into four divisions: Operations, Administration, Finance/MIS, and Project Relations. During the design phase, the LGB team provides phased cost reviews, constructability reviews, value engineering, scheduling, bid packaging, stimulation of bidding market, and design manual compliance review. During the construction phase LGB provides external management, project coordination, project supervision, project scheduling, quality control, fund accounting, maintenance plan coordination, and project closeout. The construction manager does not perform any of the construction work on the project.

The Toledo Board of Education selected Allied Toledo Architects (ATA) as the design team for Segment One buildings. The urban school district selects an individual firm within that group to design each building. The group is a unique team arrangement of 27 companies, including the four oldest and largest in Toledo. Over 700 staff members are available to provide architecture as well as engineering, technology, specifications, interior design, code, graphics, illustrations, landscape, site planning, and educational planning services.

Partnership Dynamics

The partnership between the OSFC and the TPS is considered a success by both partners. The partners project enthusiasm for the partnership and the working relationships that have been developed. A dedicated TPS district staff has helped to compensate for lean levels of staffing and has developed a good working rapport with the OSFC. While the state's personnel

has changed over the course of the project and still lacks a permanent Planning Director, it appears that continuity has been achieved.

Although the partnership is successful, the process to establish the partnership has been slower than expected. Because the Partnership Model used in rural and suburban areas does not always translate smoothly to urban areas, the development of the partnership between the OSFC and the TPS district has been a process of adapting and testing this model to accommodate the circumstances and complexities of an urban location. Even though it took longer than anticipated to establish the partnership, it has dramatically benefited the outcomes of the school capital construction program. This process has necessitated a much higher level of adaptability and flexibility than was anticipated by the OSFC and the TPS. The willingness of the OSFC to work with the TPS to explore options and alternatives to guidelines and procedures, and to adapt the Partnership Model for urban circumstances is considered to be one of the key strengths of the relationship.

The partners have learned to identify problems and issues, develop a clear understanding of the other's position, and to work toward mutually agreeable solutions. In those cases where an acceptable solution is not possible, the reasons for the disagreement are understood. Each partner has made significant progress in understanding and accepting the limits to flexibility and mutual solutions imposed by the institutional, circumstantial, and political environments and dynamics of the other. A level of trust has been established, and within that level of trust is a higher level of certainty that the process is consistent with no "surprises" and that the outcomes will be mutually agreeable to both the OSFC and the TPS.

Another dynamic to this relationship is the juxtaposition of cultures and missions between the two organizations. While the OSFC's essential mission is to build schools, the TPS has a much broader mission. The Building for Success website states that it is the single largest building project in the history of Toledo. The TPS Board of Education sees this as an opportunity not only to create excellent learning opportunities for its students, but also as a chance to revitalize and redevelop the community. The TPS mission also incorporates a strong community outreach component. Community involvement is a key to operating a successful school system and necessary for passing operating and bond levies. These concerns create a much more time-consuming process than would be the case if achieving an excellent educational system were the only goal.

The Partnership: The Changing Paradigm

The OSFC and the TPS have both expressed a commitment to *changing the paradigm* of how the state and the school district work together in the urban school construction process. This idea reflects a commitment to changing a model prevalent for decades from the conventional federalism approach where higher levels of government (here the state) design and dictate, and local governments (here the urban school districts) are the recipients of state directed programs.

The commitment to changing the paradigm from unilaterally imposed control characterized by conflict and confrontation to a functional and true partnership between the OSFC and the urban school districts appears strong and consistent among the partners. The partnership between the OSFC and the TPS is a clear demonstration of this commitment to changing the paradigm (from confrontation and conflict to cooperation) of how the state and the school districts work together to rebuild urban schools.

The OSFC's emphasis on changing the paradigm of state and local interaction to one of functional partnerships appears somewhat unique based on a review of the school capital construction models implemented by the remaining 49 states (see appendix). The OSFC is to be commended for its efforts to create a new model or paradigm and its willingness to structure and restructure processes and procedures to achieve success within the Accelerated Urban Initiative. In turn, the TPS is due equal commendation for its commitment, adaptability, and flexibility throughout the process. In the Team Process Review, we recognize the achievement of the partnership between the OSFC and the TPS in making this new model work; indeed, in changing the paradigm.

There are six major drivers that served as an impetus to shifting the paradigm from one of unilaterally imposed control characterized by conflict and confrontation to one of a functional working partnership. The first driver of the change in the paradigm that laid the foundation of this new emphasis on partnership was the establishment of the OSFC in 1997 and its mission to directly oversee the rebuilding of Ohio's schools. The second driver to change was the infusion of funding through Governor Bob Taft's Rebuilding Ohio Schools Plan in 1999.

The third driver was the Partnership Model established by the OSFC and implemented through a professional process facilitator (see The State/School District Construction Partnership Model) for working with the school districts. The facilitated process methodically breaks down any problems and issues, and results in dispute resolution. The patterns of interaction, process, and negotiation embedded in this model are an essential framework and foundation for achieving the transition from conflict to cooperation and partnership. The Partnership Model demonstrates a nontraditional application to conflict resolution between the state and the school districts from the approaches that have historically been applied.

A fourth major component or driver of the changing paradigm is the commitment to a facilitated process of mediation or conflict resolution between contractors. Prior to the implementation of the new Partnership Model and the conflict mediation process in 1999, an estimated 50 percent of local school construction projects resulted in litigation. Since 1999 and the implementation of the new model and facilitation processes, litigation has been virtually, although not completely, eliminated.

A fifth driver appears to be the flexibility and adaptability that has characterized the partnership between the OSFC and the TPS. The TPS clearly recognizes that the OSFC is willing to work through problems and obstacles. This does not mean that the two are always in agreement, but that they are able to reach toward workable compromises or at least understand why this cannot be achieved.

The sixth major driver of this changing paradigm, a critical although not sufficient driver, has been the commitment and determination to make the partnership work – a commitment and determination articulated and demonstrated by both the OSFC and the TPS. Figure 3 depicts our interpretation of the changing paradigm.

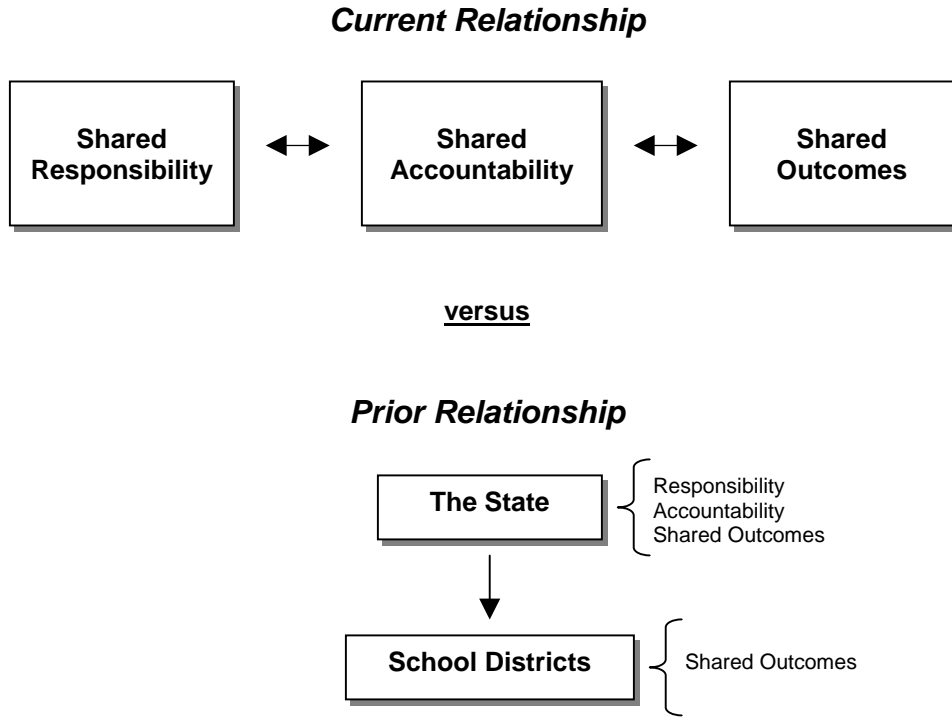


Figure 3

The Urban Imperatives

Given the commitment to the partnership under the new paradigm, the need for ongoing communication has been key to the ability of the OSFC and the TPS to address circumstances unique to urban school districts and urban revitalization efforts. The TPS has made a strong commitment to the strategic direction that rebuilding the Toledo schools is not just a facility rebuilding project, but a community-wide urban economic development process. As such, several distinctions between urban and rural/suburban school projects have come to the forefront as ongoing issues that affect many communications between the OSFC and the TPS, and how planning and building decisions are made. The distinct differences between urban and rural school district planning and rebuilding revolve around a few but significant issues. The three leading concerns are:

1. The scarcity of land for the building footprint;
2. The presence of environmental contamination in many older urban settings from previous land use now inconsistent with new school building reuse; and,
3. The larger constituency to manage and communicate in the planning process.

Availability of Land

Due to the typically land-locked nature of existing buildings in urban settings, rebuilding requires creative management of the existing land for development. Many infrastructure issues, from what will be funded for sidewalks and public rights-of-way spaces to sanitary and storm water management planning, have illuminated a need for greater understanding of the constraints placed upon urban districts versus rural or suburban districts, where land availability is greater. Multiple previous owners, or the need for land-banking of several parcels to create a large enough space to meet building requirements, places an additional burden often not present in the rural setting where a single ownership and/or single parcel of property is available.

The issues surrounding the acquisition of available land directly contribute to delays in the design process for constructing new school facilities. Design plans for a facility cannot be drafted and developed until the property for

construction of the new facility has been identified *and* acquired. The existence and intensity of zoning requirements, as well as strict zoning code implementation, can impede land purchases for new or rehabilitated school facilities. Tighter acreage to build upon, historical preservation issues of potential renovated sites, and political subdivisions within a city, county, and learning community are also prohibitive to acquiring land for renovation or construction.

Environmental Contamination

In urban areas where land is scarce, most rebuilding has to be completed on the school district's existing building's footprint, or nearby available land previously used for a complementary purpose to the neighborhood (commercial or industrial, providing jobs in the older urban setting where neighborhood-based schools relied upon the closeness of employment and services to residences). Much of this available land is older and has unique environmental issues associated with a previous industrial or commercial use, such as chemical contaminants present in the soils or crumbling infrastructure (lead water pipes, asbestos-covered insulation, petroleum contamination due to leaking underground storage tanks), and requires unique clean-up typically not found in green space or otherwise open development land.

This presence of the need for brownfield remediation and redevelopment often adds costs for environmental assessment and cleanup not typically present in "greenfield" or previously undeveloped land. These costs can often be extraordinary and require expertise not necessary for typical construction and engineering. In addition, state environmental regulator oversight and approvals can add significant time delays, and hence, drive costs up for the project. Often these issues are unanticipated until digging begins and a problem is discovered; hence, adding time and additional costs to the rebuilding process.

Managing the Planning Process

Finally, the overarching issue of the urban uniqueness stems from the larger constituency that must be managed throughout the planning and rebuilding process. The community involvement process in a large urban district such as Toledo requires an extensive amount of time, effort, and meetings. This constituency management takes the form of incorporating many more people of a densely populated community into the planning and building process,

communicating with neighborhood groups, historical preservationists, political subdivision representatives, zoning regulators, and others who represent a stake in the outcome of the neighborhood and community as a whole.

The greater number of people to communicate and manage has caused some delays in the planning process at the urban school district level, due to the sheer number of decisions and constituents that have to be incorporated. The TPS has held to its commitment of involving a broad spectrum of the community in an effort to equitably serve all learning communities. While this strategy has proven beneficial, it has also taken additional time not previously considered by either the OSFC or the TPS.

Juxtapositions of Cultures and Missions

Missions

The OSFC has a clearly-defined mission to work with urban school districts to construct schools that meet current guidelines in the most efficient and cost-effective manner.

The Mission of the Ohio School Facilities Commission is to provide funding, management oversight, and technical assistance to Ohio school districts for the construction and renovation of school facilities in order to create an appropriate learning environment for Ohio's school children.

The intense beam of this highly focused mission drills into the much broader and comprehensive mission of the TPS. Two key components of the TPS mission are to educate students and to build schools that enhance, support, and facilitate these educational processes.

Toledo Public Schools Core Values

Collaboration

Continuous improvement begins with focus on working together for the benefit of children.

Rigorous Academic Curriculum

Hiring outstanding individuals and emphasizing ongoing training and professional development are ways the District can raise all standards.

Excellence in Every Job

Employee pride, commitment, and understanding of individual roles leads to success in each job, in each building of the District. High performance standards are set for every job in the learning community.

Focus on Customer Service

We will continuously assess and try to meet the needs of our "customers" – the students, parents, and community.

Community Involvement and Parental Support

Everyone's involvement is needed to move the District in a positive direction.

Leadership to Promote Student Growth

Instructional leadership must be demonstrated at every level. We will create leadership opportunities for all staff members who interact with students and foster high standards, innovation, and accountability in employee-student interactions.

While clearly focused on this critical core, the TPS mission also incorporates a much broader focus on (1) community engagement and outreach, and (2) urban and community revitalization.

Community Engagement and Outreach

The community outreach orientation is reflected in the TPS statement of core values in which it seeks to build community involvement and support. Clearly, community involvement is important to the successful operation of schools that are located in neighborhoods and communities. In addition, two other factors reinforce community engagement and involvement – the composition of the Board of Education and the nature of school funding.

The composition of the TPS Board of Education reflects and magnifies this community orientation. The board, elected at large, emphasizes a strong community development orientation and concern. Currently, two members of the board, including the chair, are city employees and two are community development directors of financial institutions. The fifth board member is employed as a private sector attorney.

The TPS, as most school districts in Ohio, confronts the necessity of periodically turning to the ballot and electorate of the city to support bond issues and operating levies to provide requisite funding for operation and maintenance of the schools. This includes the Building for Success Bond Issue that provided the \$123 million that was the 23 percent match for the \$616 million state funds for school facilities construction. The inevitable result of the way Ohio funds local schools, through bonds and local property tax millages, creates the necessity of the urban school district being deeply and continuously engaged in community engagement and outreach.

Urban and Community Revitalization

The investment of \$739 million in building 57 schools and renovating seven others is viewed by the TPS as the most significant urban revitalization and community development investments that have occurred in Toledo in decades. The TPS website states the following:

“Building for Success will be the single largest building project in the history of Toledo. Funded by state and local monies, this \$800 million program to rebuild and renovate all district schools will transform the landscape of Toledo and improve educational opportunities for generations of students to come.

“This massive and complex project, projected to take approximately 10 to 12 years, will involve many decisions and actions by thousands of people...”

The Building for Success Program, therefore, is being implemented through a careful, systematic, and inevitably time-consuming process of community consultation. This orientation, building on the established goals of community engagement and outreach, underlies and drives the sharp emphasis on “community inclusion” that pervades the TPS school construction and renovation process and the prevailing emphasis on magnifying the benefits to resident workers and firms.

These three pillars of the TPS mission, education and success of students, community engagement and outreach, and community revitalization are interacting in the school facilities construction agenda, implementation process, and timing. The result, inevitably, is a somewhat time-protracted decision-making and school construction process. Thus, there is some tension, and the potential for greater tension between the time imperatives of the sharply focused mission of the OSFC and the broader mission of the TPS to include community revitalization.

This is not a clash of missions. The OSFC and the urban school districts share the common goal of constructing schools that facilitate the education and instruction of students (the educational mission). Community revitalization is, in all probability, a highly desirable benefit or outcome of the school construction process, but it is not a mission-focused or a mission-driven goal by OSFC as it is with the TPS. Given this mild juxtaposition of missions, there is a sense of impatience with the rate of progress on the part of the OSFC.

Public Efficiency Versus Public Process

The different yet overlapping missions and imperatives of the OSFC and the TPS almost inevitably result in the OSFC’s concern about the pace of progress in the Toledo school construction process. Given the charge of the

OSFC, there is a very reasonable and not unexpected sense of concern and urgency in accomplishing state goals for school construction. Basically, the state thinks that the program is moving slower than it should.

In turn, this sense of urgency gives rise to the TPS concern that the OSFC, at times, does not fully understand or at least appreciate the importance of the community consultation process and the community revitalization context of the TPS approach to school construction and the time requirements this creates. The school district thinks that the state's expectations are unrealistic with regard to a program of this magnitude in an urban area where there are many unique challenges. This is a natural and perhaps inevitable tension within the OSFC's partnership with the TPS. Indeed, it would be surprising if this tension deriving from the differing missions of the two organizations did not exist.

The state's focus is on getting the buildings built on time and on budget in partnership with the local school district. The OSFC wants to reach as many school districts as possible, as soon as possible, to accomplish the Master Facilities Plans in the segmented timeframes. The school district wants to accomplish this same goal, but also wants to meet its other prescribed goals.

The perception that the OSFC does not understand or at least appreciate the revitalization context of the TPS approach to school construction is inaccurate. The staff of the OSFC does understand and appreciate this issue and appears to be working to find means to accommodate the TPS commitment to this approach to school facilities construction decision-making.

In turn, the TPS does appear to have an understanding of the sense of urgency of the OSFC to achieve its mission and goals in the most expeditious and time efficient manner. The OSFC's concern that the TPS does not understand or appreciate the need to move forward as quickly as possible appears to be more perception than reality.

A clear and emphatic finding of the Team Process Review of the partnership between the OSFC and the TPS is the degree to which each has endeavored to and has been able to develop a realistic understanding and appreciation of the mission imperatives of the other. Even more important perhaps, is the finding of the Team Process Review that the OSFC and the TPS have worked diligently and successfully to make the partnership work and bridge this natural tension between missions and priorities of the two organizations, one state and one urban. The Team Process Review has also

found this same commitment to success by the OSFC and the TPS in working through the issues of differences in school facilities construction regarding urban environments and those of suburban and rural environments.

Communications

Under the old paradigm of top-down, state-to-district decision-making and authority, communication was a fairly simple model of instruction and implementation. With the new paradigm of multi-jurisdictional accountabilities and partnering, neither the TPS nor the OSFC can afford to rely on dated methods of top-down communication. Hence, the creation of an elaborate system of community outreach and engagement has proven to be successful and necessary to the success of the TPS mission. This parity of decision-making across the partnership provides an obligation on the part of the OSFC and TPS to be engaged, patient, and ultimately accountable to the state's taxpayers.

Overall, clear communication is critical to the entire process and to the successful implementation of the missions in the TPS and the OSFC. This core component of community engagement and outreach of the TPS mission is critical to the long-term support and success of the rebuilding project. It is clear that the communications structure of the TPS has been an important and useful element for the overall process.

Internal Communications

There are three important dimensions of the communications process throughout the TPS/OSFC partnership:

1. The partnering communications held during the planning process;
2. Communication between the OSFC and TPS; and
3. Communication within the TPS

Partnering Meetings

The meetings held to build the infrastructure of the partnership between the TPS and the OSFC communications were successful, especially for the urban districts, and in particular, for Toledo. Partnering meetings include the school district, architect, construction manager, and assigned OSFC staff. A partnering facilitator conducts interviews before any partnering meeting is held to identify the issues and structure so that the session is productive. The purpose is to develop immediate action strategies and tasks to address

concerns and planning issues, rather than discovering the problem in the midst of implementation.

Communication Between the TPS and the OSFC

Parity in communication between the OSFC and the TPS produces parity in their respective obligations to the process. In this context, the process means the communication flow and the community engagement process. As mentioned previously, there is a greater understanding by the OSFC of the critical need for the community engagement process, and likewise an understanding by the TPS of the sense of urgency to complete the building projects as soon as possible. Both parties of the partnership are obligated and committed.

One structural issue exists that could improve upon the process, and that is the OSFC Executive Director's lack of direct communication with the TPS Superintendent and vice versa. This is a perception of the misalignment in the structure of communicating at equivalent levels of authority. Decision-making issues and authorities may be perceived more expeditious if this line of communication became more open and direct. Communications currently between the OSFC and the TPS occur between the OSFC Executive Director and the TPS Business Manager, which contributes to stalled decision-making as the Business Manager must repeat the communication to the Superintendent and await any needed decisions.

Otherwise, communication between the OSFC and the TPS team and collaborating partners (as well as the TPS staff) has been consistent, especially given the scope of the TPS rebuilding project and the small size of the direct staff responsible for the day-to-day operations of the program. There are several lines of formal communication that have been established and remain consistent, although some of the communications relayed at these meetings can be redundant, depending upon the participants. These lines of formal communication are:

- Weekly Project Design Meetings of the Project Core Team that include the OSFC representative, two of the four architects, and the Construction Manager are conducted by the district's Project Manager. These meetings are a critical communication element on project status and decision-making.
- Monthly Master Plan meetings are also held with the same core group.

An additional Scheduling meeting is held each month, plus the regular Project Core Team monthly meeting. There is an additional Action Meeting that includes the same participants as in most other meetings (Allied Toledo Architects (ATA), LGB, and TPS). It is this Action Meeting that seems to provide the most redundancy in decision-making, especially if there is a gap in decisions being made or actions awaiting approval from the CEO or at the school board level.

- In addition, there is an ongoing collaboration with the city of Toledo demonstrated by a weekly meeting with the TPS Planning Group including TPS, LGB, and ATA. Finally, there is a weekly meeting of the TPS update group to the Superintendent with the Board OSFC Building Committee.

As mentioned previously, the difficulty in redundant meeting information stems from the perception of lack of authority to make decisions at the TPS Project Manager level to the rest of the Project Core Team. This occurs within the TPS structure when decisions need the direct approval of the Board of Education or Superintendent.

While there is general agreement that there are numerous meetings, sometimes excessive, there is also agreement that the ongoing verbal communication and dialogue has been critical to building trust and confidence in the Project Core Team and in the ability to complete the various phases of an otherwise overwhelming task. The redundancy of information between the several Project Core Team meetings has created some frustration at the inefficiency, but has also contributed to a thorough understanding of roles and relationships between the OSFC and TPS Project Core Team members.

Communication within the TPS

Communication between the Project Core Team members is frequent and effective; however, key decisions regarding the school building program must be approved by the TPS Superintendent and Board of Education. It is when the Project Manager is not authorized to provide immediate authority for several key decisions that frustration mounts. This top-down style of ultimate authority for final decisions slows the process within the TPS. This has been most evident at the design and Master Facility Plan approval stages. The top-down decision-making process causes delays in the implementation and variance reconciliation of the Master Facility Plan, and the resulting increased costs associated with steel price increases after a long reworking period and

stalled decision-making authority.

The overall communications process, both formal and informal, however, continues to flow smoothly. All Project Core Team members understand and accept the resource limitations and decision-making authorities without animosity. There is mutual respect demonstrated between all parties of the Project Core Team.

The series of meetings are the primary formal communication tool, used more so than written reporting. Internal written documents are also used on a regular basis and include weekly update/status reports to the Superintendent for use at the Board of Education meetings. Table 5 lists the schedule of meetings internal to the TPS for the school building program.

Table 5

TPS INTERNAL MEETINGS		
Meeting	Frequency	Participants
Scheduling Meeting	Once per month	ATA, LGB, TPS
Master Plan Meeting	Once per month	ATA, LGB, TPS, OSFC
Core Team Meeting	Once per month	ATA, LGB, TPS, OSFC
Finance Meetings	Once per month	TPS, CM
Project Design Meeting	Once per week	2 of 4 ATA, TPS
Action Meeting	Once per week	ATA, LGB, TPS
Planning Group Meeting	Once per week	ATA, LGB, TPS, City
Board Committee/Superintendent Update	Once per week	TPS, OSFC

There is no formal protocol for communications between the OSFC and the TPS. Email and telephone are consistent and flexible tools in having questions and concerns addressed quickly and with relative ease. At the Superintendent and Board of Education levels, the board has created an OSFC Building Committee, with two members of the board serving as members of this committee. The purpose of the OSFC Building Committee is to ensure money is spent according to plan with the input of parents, business, and community leaders, and the gathering of responses to various phases of project implementation. Board members are also updated weekly with a packet of information delivered by U.S. Mail reporting on the week's progress and community relations. This information also includes the Project Manager's

update with the OSFC.

External Communications

The TPS community engagement process has been a considerable effort of outreach to the TPS staff and the entire Toledo community. There are more than 5,500 TPS staff members, 37,000 students, and 69 school buildings affected by the rebuilding project. A public relations firm was retained by the TPS to develop an outreach plan according to the strategy developed by the TPS Steering Committee for the partnership.

Beginning in the fall of 2001, community forums were conducted in each learning community by the school Superintendent and the Deputy Superintendent (as well as the Project Manager and members of the project team) to introduce the process and convey the scope of change from which Toledo will benefit. The 14 forums, each one attended by these senior executives, were used to gather input from the community on each learning community's buildings and educational priorities and to react to proposals for renovating or replacing many of the buildings. These forums laid the groundwork for the necessary and successful passage of a bond issue in November of 2002 in order to reach the needed locally matched funds.

School design teams have been established for the first 14 buildings slated to start the rebuilding process, reaching out to local community members to be a part of the design process and to provide information about the individual learning community and community uses affected. A set of five initial meetings, entitled Community Construction Awareness Meetings, were held to provide a forum to answer questions, gain input about historic buildings and their importance to the community, and how these historic buildings would be managed. The meetings are open to the public, and there is an open atmosphere for garnering broad input and support for the school design process at the building level.

Since the initial forums were held in 2001, more than 100 community meetings have been hosted by the TPS, informing and gathering information about the building projects, including Contractor Awareness Meetings and Contractor Workshops. This exhibits a remarkable commitment by the TPS and the city of Toledo to continually reach out to the community.

Another model outreach venue is the establishment of the Community

Oversight Committee, established by the Board of Education in order to have direct community oversight of how the Master Facility Plan is being implemented, how funds are being spent, and how community issues are resolved. Fifteen community volunteers with a variety of professional backgrounds serve a two- year volunteer term with four co-chairs, selected by the Superintendent and the Board of Education, leading the committee. This committee meets quarterly or more often as needed.

Ongoing outreach to the community is additionally facilitated through the School Improvement Leaders (SILs), a group of seven senior managers that has responsibility over TPS learning communities, including the rebuilding projects. A TPS learning community is comprised of elementary, middle school, high school, and any specialty schools or centers in the area. The seven TPS learning communities are Bowsher, Libbey, Rogers, Scott, Start, Waite, and Woodward.

These SILs were reorganized into four Assistant Superintendents with similar responsibilities over Elementary Education (two assistant superintendents), Middle School (one assistant superintendent), and High School (one assistant superintendent) learning communities. The Assistant Superintendents continue to receive input from their communities through direct phone calls, email, and surveys they distribute within their geographic areas.

Additional external communication is through continued design team meetings, the Community Oversight Committee meetings, Board of Education meetings, and through regular communication via the school's newsletter *VIP News*, and the school website www.tps.org. Consistent information is provided on news and information about the rebuilding process, community involvement opportunities and reports, and planning progress.

Space and Pace

Previous sections of the Team Process Review have addressed the magnitude and complexity of the implementation of the OSFC/TPS Partnership and progress along the continuum from planning to construction. The underlying concern about the pace at which this is occurring is a critical issue in the Accelerated Urban Initiative. This section draws together lessons learned throughout the assessment process that affect timing and pace.

Enrollment Projections and the Planning Model

The Toledo Public School District is the fourth largest school system in the state of Ohio, operating 47 elementary schools, seven junior high schools, eight senior high schools, and 13 specialized learning centers. The TPS has nearly 35,000 students and employs about 5,000 people. Managing, sequencing, and implementing a facilities building program for an urban school district of this magnitude is challenging, and at times, draws unexpected obstacles. One such obstacle is planning for construction with a fluctuating student enrollment population.

A segmentation approach is utilized to divide the school facility construction process into discrete and manageable phases (see Table 4, page 24). Clearly segmentation is necessary to manage the scale and complexity of the comprehensive project. Design and management services and construction activities are contracted to complete work within the time frame of each segment. Any modifications to the scope of work or budget are also managed within each segment.

The segmentation approach is also intended to provide opportunities to adjust segments as student enrollment projections change. Projecting student enrollment over the duration of the planning period is an important element of the OSFC planning process. An educational planner is assigned by the OSFC at the commencement of a school district's building program to develop enrollment projections for 10 years into the future. The objective is to determine the number of students for which the school facilities should be designed. The educational planner utilizes the enrollment history of the school district, combining district demographics such as live birth statistics, housing starts, and survival rates, to project future student enrollment.

Student enrollment projections for the urban school districts are reviewed annually and fully updated every three years, unless results in the annual review warrant an earlier update. Enrollment projections for the urban school districts were first developed in the 2000-01 school year, and one update of the urbans was conducted to date. Figure 4 below illustrates the overall changing student enrollment for grades kindergarten through 12th in Ohio's urban school districts over two decades. Data obtained from the Ohio Department of Education indicates an overall decline in six of the eight urban school districts (including Toledo), and minor increases in two of the urban districts from 1980 through 2000. These changing numbers impact planning for facilities design.

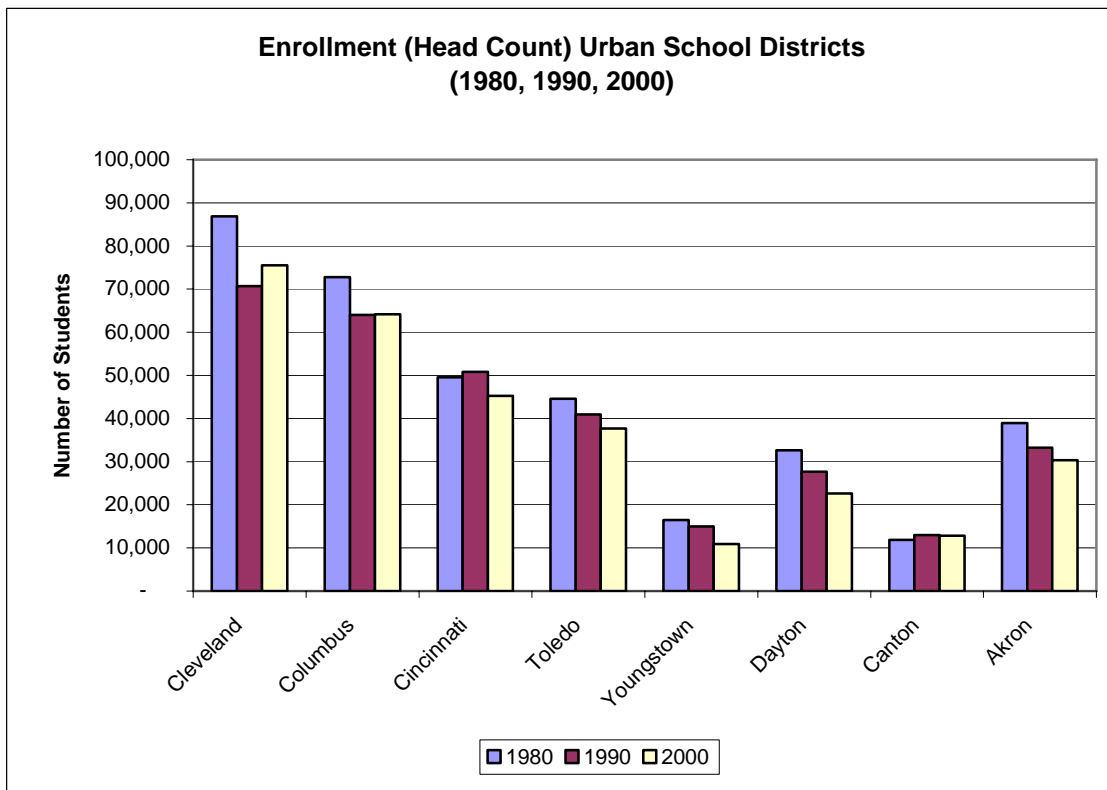


Figure 4

The same pattern of change is exhibited for the Toledo urban school district. An enrollment review was conducted at the end of 2003 that indicated TPS would have approximately 5,000 fewer students overall through the projected planning period. Figure 5 below depicts the changing student enrollment for grades K through 12th in TPS for the two-decade period. The data indicate that TPS total student enrollment for grades K through 12th has steadily declined from 1980 through 2000. Enrollment for grades K through 12th decreased from 1980 to 1990 and from 1990 to 2000 by 8 percent. Over the 20-year period, K through 12th grade enrollment declined overall by 15.5 percent.

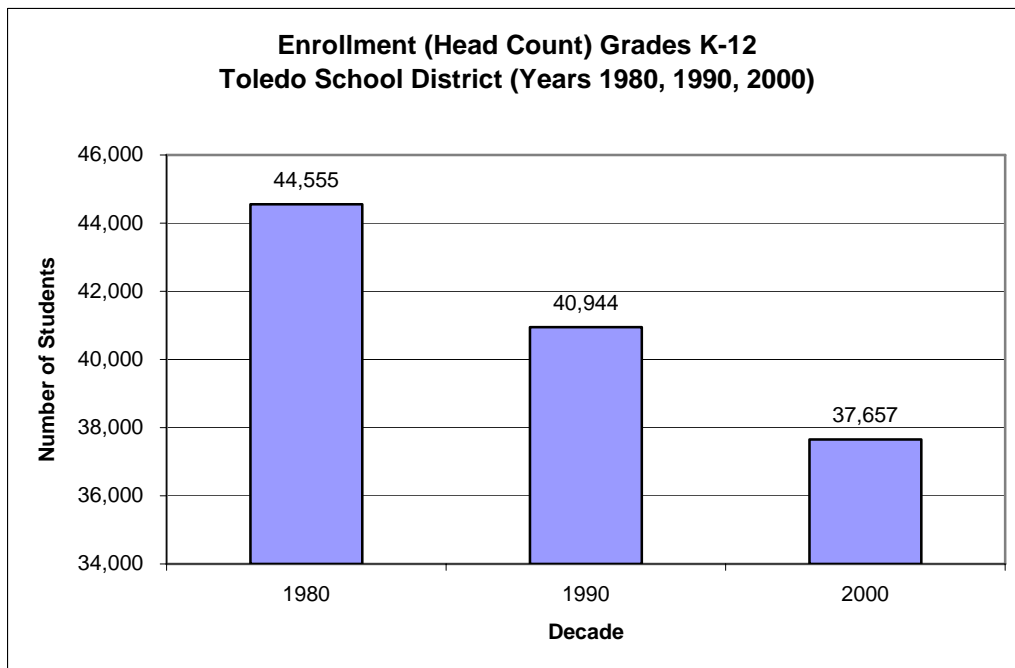


Figure 5

When examining student enrollment levels according to grades kindergarten through 12th for the TPS, it is apparent that enrollment declined overall from 1980 to 2000 with the exception of 5th graders, which saw less than a one percent increase in enrollment. The other grade levels decreased to some degree, with the more substantial decreases occurring in grades 8th through 12th and the 2nd grade. The remaining grades (except for the 5th grade) saw some decreases, typically a decline at 10 percent or less. See figure 6.

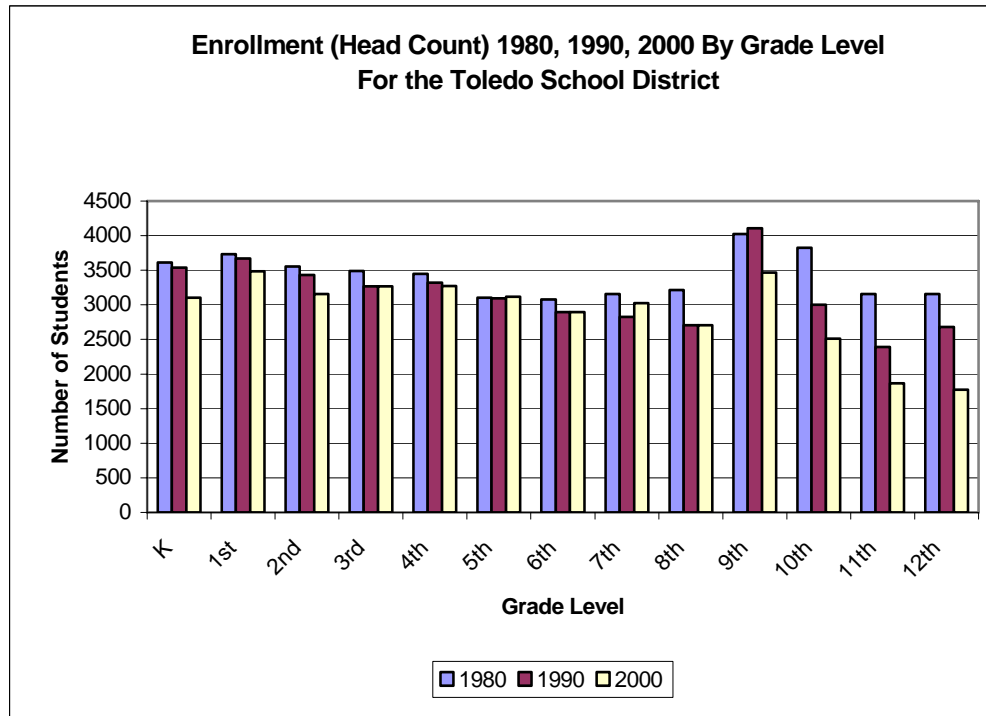


Figure 6

Enrollment projections are developed after the school district enters the OSFC’s building program, and these figures are used to develop the Master Facility Plan. Levies are sold by the school district based upon the construction of a certain number of schools to be located in specific areas. In the case of TPS, updates to TPS enrollment projections indicated an overall decline in student enrollment over the segmented planning period. Elementary age student enrollment had increased, yet student enrollment for middle age students had decreased. This resulted in revisions to the original TPS Master Facility Plan, thus causing significant delays in the process.

Changing student enrollment projections within the large urban school districts has placed the Master Facility Planning process in a state of flux. Schools that have concentrated segment one planning on types of schools most adversely affected by reductions in projected enrollments are then forced into *forward and backward planning*. The school district must take a *backward* look at what was planned for the first segment, revising what was previously planned (backward planning). This is done simultaneously while in the process of planning for future segments (forward planning).

There is no apparent answer to the difficulty introduced into the planning and segmentation process by the volatility of enrollment projections in large urban areas. The costs and delays introduced by changing enrollment projections are most easily minimized or contained in forward planning. The need for backward planning, or adjustments in segments currently underway, is clearly the greater problem.

Minimizing the need for backward planning suggests some sort of portfolio approach to segmentation based on assessments of risk of changes in enrollment projection impacts on the composition of the segment portfolio. Under this approach, the types of schools most likely to be adversely affected by reductions in projected enrollments would be moved to the later segments. An alternative, perhaps more feasible, are diversified portfolios of schools in each segment that minimize risk of impacts of changes in enrollment projections.

Construction Costs

The inevitable result of changing enrollment projections and the resulting forward and backward planning process adversely affects timing, and results in delays in design completion and the bidding process. A measure of the importance of the timing issue is Toledo's experience with changing construction and materials costs during the initial bidding process. The pace has resulted in these costs being higher than anticipated. Clearly it would have been difficult, if not impossible, to foresee the increases in materials costs, such as construction steel, and hence, to know the construction cost consequences of delays in moving to bidding. Nonetheless, these delays moved the bidding process into a period of higher construction costs, necessitating reconsideration of design features to reduce costs.

Land Acquisition

Another major issue adversely affecting the space and pace of the school building program is the complexity of land acquisition in high-density urbanized areas. It is impossible to separate land acquisition issues from the issues of space and pace, and how delays created with land acquisition interact with planning, planning strategies, changing enrollment projections, re-planning (forward and backward planning), and constructions costs.

The design plans for new facilities construction cannot be drafted or fully developed until the property for the location of the facilities has been identified and acquired. The TPS and its attorneys have confronted several challenges when seeking available sites while planning for the construction of new school facilities. Some of these challenges include:

- Purchasing land from commercial property owners desiring indemnification from any liability on brownfield issues (rather than providing it)
- Filing eminent domain where necessary after pursuing good faith negotiations and the issues surrounding this
- Mediating Declaration of Use issues that limit future uses of properties
- Conducting environmental assessments and identifying the scope of challenges, environmental assurances, insurance, etc.
- Extensively researching deed restrictions on properties
- Dealing with sewer flows and the impacts to other property owners
- Conducting traffic studies if no school was located on the site or if the school is being expanded
- Issues with historic district designations and the historical significance of the architecture – how to build new schools while protecting architectural features of historical significance.
- Working with the city on zoning issues, acquiring land, land swaps, locating playgrounds and schools, and other issues
- Ensuring adequate water pressure and utilities
- Dealing with possible displacements/relocations of agencies and entities from proposed construction sites

- Relocating a school from a neighborhood and the difficulties surrounding the relocation. This will vary in the degree that the community of that neighborhood identifies with the school and its role as a community symbol, landmark, and community identity.
- Tearing down and rebuilding schools on the same site. People identify with the old school and its history and may be resistant to change.
- The difficulty of trying to build a new school in a new neighborhood—the classic NIMBY or “not in my backyard” reaction. Resistance is encountered from residents who are reluctant to or opposed to dealing with changes new schools entail for their neighborhoods – ranging from traffic, land use, and zoning, to the externalities of large numbers of children and youth.

Appendices

Appendix A: Interview Participants

Appendix B: State Models and Best Practices

Appendix C: Sources

APPENDIX A: Interview Participants

Our special thanks to the OSFC and the TPS staff and representatives who participated in the interview process:

- Dr. Sheila Austin, TPS Chief of Staff
- Steven Berezansky, OSFC Project Administrator (Toledo)
- Tom Billau, TPS Director of Special Education
- Eric Bode, OSFC Chief Financial Officer
- Jane Bruss, TPS Communications Relations Director
- Dan Burns, TPS Chief Business Manager
- Crystal Canan, OSFC Chief of Projects
- Wayne Colman, OSFC Planning Director
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- James P. Fortlage, TPS Treasurer
- Roosevelt Gant, LGB Project Team (Toledo)
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- Kirsten Kozel, LGB Project Team (Toledo)
- Rick Kull, LGB Project Team (Toledo)
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- Paul Overman, TPS Acting Strategic Facilities Manager & Investment Analyst
- Sharon Ramirez, TPS Strategic Facilities Manager
- Bill Ramsey, Construction Manager (Toledo)/LGB Project Director
- Lynn Readey, OSFC Executive Director
- David Riley, TPS Legal Counsel
- Dr. Eugene T.W. Sanders, TPS Superintendent and CEO
- Gary Sautter, TPS Assistant to the Chief Business Manager
- Larry Sykes, TPS Vice President, OSFC Building Committee
- Dan Tabor, Allied Toledo Architects
- Edith Washington, Allied Toledo Architects

- Craig Weise, OSFC Deputy Chief of Projects
- David Welch, TPS President, OSFC Building Committee
- James White, Presiding Chair, Toledo School District Community Oversight Committee
- Keith Wilkowski, TPS Legal Counsel

APPENDIX B: State Models and Best Practices

State Models

School Construction State Profile

Total school construction in the United States fell to below \$20 billion in 2003, the first time it has been that low in the 21st century. The margin was not substantial – \$19.9 billion in construction was completed last year – but the trend could be significant if it persists as a trend. School districts are projecting they will complete slightly less construction in 2004 (\$19.7 billion) and they will start construction projects totaling even less (\$18.6 billion), as shown by region in Table 6 (*School Construction Report 2004*, School Planning and Management Magazine). The percentage of the national dollars spent on the three indicated categories is shown.

Table 6

NATIONAL SCHOOL CONSTRUCTION PERSPECTIVE			
Region	School Construction Completed in 2003 % of Nation	School Construction Expected to be Completed in 2004 % of Nation	School Construction Projected to Start in 2004 % of Nation
1	8.1	7.6	7.4
2	12.2	11.6	12.6
3	6.0	5.0	5.1
4	10.5	9.5	9.8
5	10.6	11.1	11.2
6	8.8	8.9	9.1
7	6.9	7.1	5.8
8	4.8	4.4	4.7
9	13.3	11.4	11.5
10	4.5	4.4	4.4
11	10.2	15.4	13.9
12	3.9	3.6	4.5
Total (\$)	\$19,961,631,916	\$19,693,046,075	\$18,623,114,472

Tables 7, 8, and 9 represent the 12 regions ranked into three tiers according to the percentage of the national dollars spent for the three indicated categories.

Table 7

NATIONAL SCHOOL CONSTRUCTION PERSPECTIVE			
Rank	School Construction Completed in 2003 (% of Nation)	School Construction with Expected Completion in 2004 (% of Nation)	School Construction Projected to Start in 2004 (% of Nation)
1	Region 9 (AR, LA, OK, TX)	11	11
2	Region 2 (NJ, NY, PA)	2	2
3	Region 5 (AL, FL, GA, MS)	9	9
4	Region 11 (AZ, CA, HI, NV)	5	5

Table 8

NATIONAL SCHOOL CONSTRUCTION PERSPECTIVE			
Rank	School Construction Completed in 2003 (% of Nation)	School Construction with Expected Completion in 2004 (% of Nation)	School Construction Projected to Start in 2004 (% of Nation)
5	Region 4 (KY, NC, SC, TN)	4	4
6	Region 6 (IN, OH, MI)	6	6
7	Region 1 (CT, ME, MA, NH, RI)	1	1
8	Region 7 (IL, MN, WI)	7	7

Table 9

NATIONAL SCHOOL CONSTRUCTION PERSPECTIVE			
Rank	School Construction Completed in 2003 (% of Nation)	School Construction with Expected Completion in 2004 (% of Nation)	School Construction Projected to Start in 2004 (% of Nation)
9	Region 3 (DC, DE, MD, VA, WV)	3	3
10	Region 8 (IA, KS, MO, NE)	8	8
11	Region 10 (CO, MT, ND, NM, SD, UT, WY)	10	12
12	Region 12 (AK, ID, OR, WA)	12	10

Administration Location

Ohio's school construction is funded by the Ohio General Assembly. The administration of the program is through the Ohio School Facilities Commission (OSFC) which was formed by the General Assembly for this specific purpose. This type of relationship (direct oversight of the school construction program by the legislature) was found in only four states: Ohio, Hawaii, Idaho, and Wyoming. In Hawaii, because capital funding is part of the state budget, allocations are contained in legislation that must be passed by the Legislature and signed by the governor.

The 2000 Idaho legislature set up a \$10 million revolving loan fund administered by the state treasurer. In addition, 50 percent of the dividend portion of the state lottery is distributed to local school districts for capital outlay expenditures. The dividend is usually about 20 percent of gross lottery revenue.

Wyoming uses a combination of the executive and legislative branches for state oversight of its school construction. A Capital Construction Advisory Group (appointed by the governor, state superintendent, speaker of the house, and president of the senate), state superintendent, and the legislature collectively oversee Wyoming's school construction program. However, pending legal action may change this arrangement.

The remaining 46 states administer school construction programs through various state agencies with the Department of Education being the primary approving body.

EnergySmart Model

EnergySmart Schools (ESS) is an integral and active part of the Rebuild America program, which is committed to building a nation of schools that are smart about every aspect of energy. This includes providing information on energy efficient solutions for school bus transportation, conducting successful building projects, and teaching about energy, energy efficiency, and renewable energy.

America's schools are aging—the average age is 42 years—and the vast majority could greatly benefit from energy-saving improvements. However, the budgets of school districts are strained, and too often needed repairs are deferred, creating compromised learning environments for children. Over 140 partnerships in 40 states from around the country have found innovative ways to address their growing needs.

ESS is taking a two-pronged approach to helping schools make wise choices about energy. It is working with school districts to introduce energy-saving improvements to the physical environment and taking a proactive role in promoting and supporting energy education in schools. ESS provides resources and technical assistance to help save energy in schools. Many schools are leveraging their energy savings to pay for needed improvements. Achieving energy savings in the nation's K-12 schools can free funds to pay for books, computers, and teachers and to improve indoor air quality and comfort.

Urban, Suburban, Rural Differences

Ohio has indicated that there is a difference in several aspects of the school construction process between the rural, suburban, and urban school districts. Currently, other states have not shown a difference in this process.

Community Development and Revitalization

Ohio incorporates a strong element of community involvement in its school construction program. The TPS conducts town meetings within the communities to be affected by the construction/rehabilitation of schools to

encourage feedback and comments from these neighborhoods and communities, and supports this with an intense marketing and communications campaign. Currently, other states have not shown community development and revitalization as an element of their school construction programs.

Best Practices

Among the five states displaying varying development levels of best practices – California, Florida, Kentucky, Louisiana, and Ohio – Florida appears to have taken the lead. The current best practices cover efficient use of resources, compliance with generally accepted accounting principles, performance accountability, and cost controls for 14 specific school district managerial and operational areas, which includes facilities construction and maintenance.

Overall, the best practices are designed to encourage districts to use performance and cost-efficiency measures to evaluate programs; use appropriate benchmarks based on comparable school districts, government agencies, and industry standards to assess operations and performance; identify potential cost savings through privatization and alternative service delivery; and link financial planning and budgeting to district priorities, including student performance.

To help assess whether districts are using the best financial management practices, the Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Auditor General also developed interpretive indicators for each best practice. The indicators represent the kinds of activities the district would be expected to be doing if it were using a particular best practice.

Florida's facilities construction areas in which best practices and indicators are used can be summarized as follows:

- Construction planning
- Construction funding
- Construction design
- New construction, renovation and remodeling
- Facility occupancy and evaluation

Similar best practices in construction design can be seen in Ohio and

California with their design manuals that assure uniform and forward-thinking educational and technologically advanced facility components. Also, similar in Ohio as in Florida, is the facility planning and construction partnership model that includes a broad base of school district personnel, parents, construction professionals, and other community stakeholders. Ohio takes this partnership one step further with this strong element of community involvement in viewing its school construction program as one of revitalizing neighborhoods and communities.

Aspects of each of the five best practices states are summarized below.

California

School construction planning in California addresses the needs of school districts, including superintendents, parents, teachers, school board members, administrators, and those persons in the school district who are responsible for facilities. Technical design guidelines for high performance schools are tailored for California climate zones. The school construction program criteria is a flexible system of both prerequisites and optional credits that address all aspects of high performance schools.

Florida

Enacted in 2001, the Sharpening the Pencil Program is intended to improve school district management and use of resources and to identify cost savings. One of the most important provisions of the program is that it requires each school district to undergo a Best Financial Management Practices Review once every five years. The law identifies those districts scheduled to undergo review each year of the five-year cycle. It also encourages the Commission of Education to adopt the best practices to be used as standards for these reviews and establishes meeting the best practices as the goal for all Florida school districts. Sharpening the Pencil additionally enhances the role of the Department of Education through a review process.

In May 2002, the Commissioner of Education and Secretary of Education adopted a revised set of Best Financial Management Practices for Florida school districts. These revisions were made to better align the best practices with 10 areas identified in Florida law, and to further streamline the review process by eliminating duplication and clarifying individual best practices and indicators.

Kentucky

Kentucky's *Guidelines of Best Practices for School Building Projects* is intended to be a handy reference for school district administrators and design professionals involved in school facility projects. The information contained in the document does not uniformly apply to each and every project, but is meant to highlight some important considerations. Each individual project may require an entirely different approach from the last.

Louisiana

The state of Louisiana has published a booklet containing indicators of best practices for Louisiana's local governments. Much of the booklet has been taken from *Indicators for Florida School Government Best Financial Management Practices* published by the Office of Program Analysis and Government Accountability from the state of Florida. Units of local government are encouraged to use this publication as a measure of their practices and accountability to the public they serve. These practices cover the efficient use of resources, compliance with generally accepted accounting principles, and control of costs, management, and operations.

Ohio

The Ohio School Design Manual is intended to assure uniform, energy-efficient, functional, cost-effective, high-quality, easily maintainable, forward-thinking educational and technologically advanced facility components. The objective is to produce a guide to be used by a school district's design professional for the State School Building Assistance Program. The design manual provides a critical analysis of individual spaces and material/system components necessary for the construction of elementary, middle, high school, and combination facilities. The design manual allows a school district choices contained within the specific guidelines of the program. Equality between school districts related to size of educational spaces, finishes, systems, and costs should be realized, and initial educational programming and early design effort should be reduced. Consequently, the reduction of the design/construction process should result in reduced project costs.

Legal Action

Lawsuits concerning state methods of funding K-12 capital finance needs were reviewed. Most of these suits challenged the adequacy and/or equity of a state's education finance mechanisms as a whole. If state-altered capital finance programs are created as a result of a lawsuit, that suit was reviewed whether or not capital finance was the primary issue. Also, suits were reviewed that drove changes in capital finance methods regardless of whether or not courts ruled against the state. In some cases, state legislatures passed new initiatives as suits made their way through the judicial system. In these cases, the policies that motivated some suits had been rescinded by the time state courts ruled, but the suit still served to influence change at the state level.

Research (August 2002) indicates that 21 states have either past or pending lawsuits, as shown in Table 10 below. The table represents a summary of the six categories for all 50 states. Administration location is defined as Executive (E) or Legislature (L).

**Team Process Review of
Toledo Public Schools**

Table 10

State	Administratio n/Location	Urban, Suburban, & Rural Differences	Partnership Model	Community Development & Revitalization	Best Practices	Legal Action
Alabama	E DOE					N
Alaska	E DOE		Y			Y
Arizona	E SFB		Y			Y
Arkansas	E DOE		Y			Y
California	E DOE		Y		Best Practices Manuals	Y
Colorado	E DOE		Y			Y
Connecticut	E DOE		Y			Y
Delaware	E DOE					N
Florida	E DOE		Y		Best Practices & Indicators	N
Georgia	E DOE		Y			N
Hawaii	L GOV		Y			N
Idaho	L TRS		Y			Y
Illinois	E DOE		Y			N
Indiana	E COM		Y			N
Iowa	E DOE					N
Kansas	E DOE		Y			Y
Kentucky	E DOE		Y		Guidelines for Best Practices	Y
Louisiana	E DOE		Y		Best Practices & Indicators	N
Maine	E DOE		Y			N
Maryland	E PUW		Y			N
Massachusetts	E DOE		Y			N
Michigan	E DOE		Y			N
Minnesota	E DOE		Y			Y
Mississippi	E DOE		Y			N
Missouri	E DOE		Y			N
Montana	E DOE		Y			Y
Nebraska	E DOE		N			N
Nevada	E DOE		Y			N
New Hampshire	E DOE		Y			N
New Jersey	E DOE		Y			Y
New Mexico	E DOE					Y
New York	E DOE					Y
North Carolina	E DOE		Y			Y
North Dakota	E SUP					N
Ohio	L SFC	Y	Y	Y	Design Manual	Y
Oklahoma	E DOE		Y			N
Oregon	E DOE		Y			N
Pennsylvania	E DOE		Y			N
Rhode Island	E DOE		Y			N
South Carolina	E DOE		Y			Y
South Dakota	E DOE					N
Tennessee	E DOE		Y			Y
Texas	E TEA		Y			Y
Utah	E DOE		Y			N
Vermont	E DOE					N
Virginia	E DOE		Y			N
Washington	E DOE		Y			N
West Virginia	E SBA		Y			Y
Wisconsin	E DOE					N
Wyoming	E / L		Y			Y

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