September 23, 2019

Pennsylvania House of Representatives

House State Government Committee

Re: House Bill 472

Dear Representative,

On behalf of the undersigned organizations, we write to express our significant concerns and opposition to House Bill 472 (Everett). This bill would require school districts to obtain voter approval through referendum prior to constructing, entering into a contract to construct or lease a new building, or adding on to or renovating an existing building, if any of these projects would result in a school district borrowing more than 50% of its annual revenue from the prior school year to pay for or finance the project. Because House Bill 472 has the potential to impact nearly every school district in the state, stymie much needed school construction and renovation projects, and hinder the Commonwealth’s economy, our organizations are opposed to the bill.

For some school districts, the 50% of annual revenue threshold would be as low as $2-3 million dollars. This low threshold would apply to virtually any renovation project in those school districts, including much needed upgrades related to student learning and school safety. For new construction projects, the impacts are more pronounced. With an estimated average cost to construct a middle school at approximately $40 million, this legislation would impact more than 80% of school districts by requiring a referendum for a building project. With an estimated average cost to construct a high school at approximately $80 million, this percentage grows to include more than 95% of all school districts which would be required to conduct a referendum for a building project.

House Bill 472 would remove the authority of locally elected school directors to make decisions regarding school facilities.  Local school leaders, including school directors, superintendents, and business officials have been and should be continued to be trusted with determining the present and future needs of students and families and to meet those needs in a fiscally responsible manner.  Local leaders must consider student and faculty health concerns, population increases, and appropriate and modern environments conducive to learning when determining school infrastructure needs. Additionally, safeguards already exist in current law requiring a very open process to include at least one public hearing with no less than 20 days notice, and a final majority vote of all members of a school board at a public meeting.

Further, this legislation is being offered in a vacuum without regard to the extensive work of a recent bipartisan, bicameral legislative advisory committee on school construction which produced a report and recommendations that were passed into law in Act 70 of 2019. Not only do the recommendations of the advisory committee fail to include anything close to the concept proposed in House Bill 472, this bill is being advanced before the Legislature has had a chance to appropriate funding to support the reforms in Act 70. The addition of such a significant hurdle, along with the absence of state financial support for school construction will further exacerbate the significant challenges the Commonwealth already faces when it comes to addressing public school infrastructure.

Finally, it is important to consider the economic impact this legislation will have on the Commonwealth if school construction projects become significantly more difficult to advance. These projects provide local and statewide businesses the opportunity to create family sustaining jobs for carpenters, electricians, plumbers, roofers, general contractors, architects, and many others.

For all of these reasons and more our organizations are deeply concerned by this legislation and we ask you to oppose House Bill 472.

Sincerely,

Pennsylvania School Boards Association

Pennsylvania Association of School Business Officials

Pennsylvania Association of School Administrators

American Institute of Architects of Pennsylvania

General Contractors Association of PA

Keystone Contractors Association

Master Builders’ Association of Western PA

General Building Contractors Association