



## The Star-Ledger

### A rebuilt school construction plan

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**BY DAVID G. SCIARRA**

More than a year ago, the state Schools Construction Corp. announced it had used up \$8.6 billion to renovate and build public schools, leaving hundreds of planned projects in limbo. Tomorrow, the education commissioner must issue a court-ordered cost estimate for those projects.

Gov. Jon Corzine has appointed a work group to recommend immediate improvements in SCC operations so the agency is ready to restart projects in the construction pipeline when the Legislature approves more funding. The group must then review the program and recommend long-term reforms.

Any plan to improve the school construction program should include:

**Governance:** In 2002, Gov. James E. McGreevey, by executive order, removed school construction from the Economic Development Authority, the agency charged by law for the program, and created the SCC to take over. The executive order established an SCC board with no standards for open, ethical governance or direct accountability to the Legislature.

The Legislature must authorize the SCC to operate by law and ensure that it is accountable to the governor, legislators and taxpayers and that it is governed by a professional, competent board and chief executive officer who are subject to the highest ethical standards.

**Oversight:** Under the original law, the attorney general was charged with making sure construction funds were effectively used and state officials were held accountable. This never happened. Instead, McGreevey put the attorney general on the SCC board, then used the attorney general's civil lawyers to give legal counsel to the SCC at a rate of \$2 million in legal fees last year alone.

To resolve this conflict of interest, the attorney general must be removed from the SCC board. The SCC also should hire outside counsel, with expertise in construction law, to provide legal advice. The Legislature must then either restore oversight functions to the attorney general with a separate budget or assign the task to the new public advocate or the inspector general's office.

**Quality schools:** The Education Department is responsible for ensuring that all schools are designed and built to deliver a rigorous education, using quality materials and including energy-efficient systems to save on maintenance and operations. Yet the department lacks an assistant commissioner for facilities, and there is little coordination within the department between education programs and school construction. This must be corrected.

**Project budgets:** The SCC funded hundreds of projects piecemeal, without setting aside funds to complete them. The SCC must prioritize projects for construction, establish realistic and accurate budgets for each project and allocate funds to complete the projects. The SCC must reliably estimate construction costs using accepted industry guidelines, something it has not done thus far.

**Design and construction:** As noted by the inspector general, the SCC has unnecessary and expensive layers of project management, totaling more than \$350 million, or 20 percent in administrative costs, well over the industry standard.

The Legislature must streamline the design and construction process by requiring the SCC to use the most cost-effective delivery method, including letting a district do the work itself, having the SCC do the work or letting the district design and the SCC construct the project. Design-build and other innovative building

techniques should be encouraged, and all work must be performed within fixed project budgets.

School siting: Some cities have forced the SCC to take sites for new schools that are expensive, contaminated and in undesirable locations. The Legislature should require cities to set aside clean and accessible land for schools, at a reasonable cost, as an element of its master plan. Any city not doing so should be blocked from approving residential and commercial redevelopment until it does.

Community schools: The state must use its school facilities dollars to leverage investments in open space, recreation, housing and other community needs. The Legislature should enact policies that encourage community features in all projects and "joint use" projects combining housing, retail, day care and other facilities with schools, as is done in California and other states.

Local involvement: Full state control of the building program has left out the users of the schools -- urban educators, parents and leaders. We need policies to ensure community involvement in every aspect of planning and construction.

The school construction program is a once-in-generations opportunity to rebuild our pre-K-to- 12 schools, make our cities better places to live and allow them to be economically competitive. We need to move quickly and get it right. Our kids can't wait.

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