

School Building Authority of West Virginia
**EMERGENCY FACILITY AND EQUIPMENT REPAIR OR REPLACEMENT
FUND FOR FINANCIALLY DISTRESSED COUNTIES**

In the 2018 regular session of the West Virginia Legislature, legislation was passed that created the Emergency Facility Repair or Replacement Fund for Financially Distressed Counties (the Distressed County Fund). Pursuant to the language as adopted and signed into law as WV Code §18-9D-4d, the following laws have been established:

- I. The School Building Authority (SBA) shall maintain a reserve fund in the amount of not less than \$600,000.
- II. A “financially distressed county” means a county either in deficit or on the most recently established watch list by the WVDE of those counties at-risk of becoming in deficit.
- III. The purpose of the Distressed County Fund is to make emergency grants to financially distressed county boards of education to assist them in making repairs or performing urgent maintenance to:
 - a. Facilities or
 - b. Facility related equipment or
 - c. Facility related equipment replacement
- IV. Repairs or replacement must be necessary to maintain the serviceability or structural integrity of:
 - a. School facilities currently in use or
 - b. Facilities necessary for educating the students of the county
- V. Grants shall be made in accordance with guideline(s) established by the SBA.

Guidelines as established by the School Building Authority shall be as follows:

1. A financially distressed county board of education is eligible for reimbursement by the SBA for expenditures in order to keep the school(s) or major core spaces within a school open and operational.
2. The Superintendents of eligible counties must notify the SBA Staff immediately of the emergency facility needs. SBA Staff representatives shall visit the affected school(s) in a timely manner to verify the level of need.
3. Before expending local funds, all other federal, state, or other potential funding sources for emergencies must be exhausted.
4. Eligible county boards of education must submit a letter of request for a grant allocation from the Fund. Each letter shall include the following:
 - a. Name of the School(s) affected
 - b. Description of the proposed solution
 - c. Estimate of probable cost or invoice for work/services performed
 - d. Description of the necessity for a grant from the Distressed County Fund
5. The SBA Staff may inspect all maintenance or inspection records related to the county board of education’s request.
6. Using the guidance of the WVDE’s Office of School Finance, the Authority may require additional information regarding the county board of education’s annual budget.
7. The Authority will consider requests brought by the SBA Staff on behalf of the county boards of education in a special emergency meeting or a regular quarterly meeting.