

Bill Seeking to Establish Authority for Maintenance and Construction of Public Schools Held in Committee

Education / **Published On November 22, 2020 06:18 AM /**

Maxiene K. Cabo **November 22, 2020**

Image not found or type unknown



Senator Donna Frett-Gregory's plan to reform education in the territory began with a [comprehensive measure](#) that sought to create a school construction and maintenance authority. But the bill was held in committee Tuesday following opposition from the Dept. of Education and the Office of Management and Budget.

Also heard Tuesday was Bill No. 33-0239, an Act amending V.I. Code relating to public schools' permanent closure, sponsored by Sen. Myron Jackson.

Ms. Frett-Gregory's bill, numbered 33-0302, seeks to ensure that children of the territory have a safe, modern and secure educational environment for them to learn. It would also be responsible for the functions of regular and timely maintenance, inspection, construction, renovation, upgrade,

repair, and modernization of educational facilities. The authority would further establish, acquire, construct, develop, improve, renovate, upgrade, operate, and manage all public schools and public educational facilities territory-wide.

"We have to build for future generations. This legislation is not about me or any of my colleagues, it's about the future of the Virgin Islands," said Ms. Frett-Gregory.

The senator said the new authority would be governed by the Virgin Islands School Facilities and Maintenance Authority Board of Directors, composed of seven members. The members would consist of the commissioner of Education or the commissioner's designee, and six other members appointed by the governor. She added that those six members should consist of two former educators, one from each district, one current educator, two engineers, one from each district, and one member with business or finance experience.

The board would elect a chairperson, but at no time shall the commissioner of Education or designee serve as the chairperson, according to the bill. The authority would be funded through the Education Initiative Fund (\$1.5 million), the St. Croix Capital Improvement Fund (\$250,000), the St. John Improvement Fund (\$100,000), along with revenues from governmental building rentals, in conjunction with the Department of Property and Procurement.

Several testifiers who attended the hearing Tuesday supported the measure's intent, including Jeanette Smith-Barry, former STT-STJ district superintendent and principal of Charlotte Amalie High School. Ms. Smith-Barry told lawmakers, "An entity like this School Facilities and Maintenance Authority can relieve school administrators of unnecessary burdens, and more importantly, can help ensure that all the persons who would be addressing repair and maintenance concerns are persons who are trained and know what they are doing."

Dept. of Education Commissioner, Racquel Berry-Benjamin, agreed with Ms. Smith-Barry and told the committee, "The lack of adequate funding and a master plan to properly maintain and upkeep" the territory's schools and facilities over decades "have contributed to the rapid deterioration of many of our buildings."

Even so, Ms. Berry-Benjamin pointed to concerns she had with the measure. "The way in which Bill 33-0302 is structured, it appears to be promoting a duplication of services that already exist within the government of the Virgin Islands" along with the Education department's Operations and Facilities Unit, she said.

She added, "The bill does not solve the real problem of the years of the department being unable to purchase and install equipment and materials necessary to perform preventative, routine maintenance and deferred maintenance at our sites, and to attract and to retain adequate staffing levels."

While the bill identified a number of funding sources, Office of Management and Budget Director, Jeniffer O'Neal, pointed to uncertainty created by the Covid-19 pandemic as a possible hindrance. "The costs that would be associated with this board are costs that may be deemed unnecessary, especially at this time, during the COVID-19 pandemic, where there is much uncertainty and the tourism sector has been decimated. Because of this, I do not feel that the creation of yet another board would be in the best interest of the GVI or to achieve the intent of this legislation."

Ms. O'Neal said she was unable to support the measure fully "until and unless an amendment is made to allow for a transfer of funding and personnel to the Department of Public Works to

achieve the intent" of the legislation.

Bill relating to closure of public schools

The Committee on Education and Workforce Development also heard testimony on Bill No. 33-0239, an Act amending V.I. Code relating to public schools' permanent closure.

The measure would give the Board of Education the authority to recommend to the Department of Education schools that should be permanently closed. Additionally, before any permanent closure of a school, the Board of Education and the Department of Education must provide testimony to the Legislature on the school's condition, the reasons for the closure, and the future use, if any, of the school.

Ms. Berry-Benjamin and Arah Lockhart, chairwoman of the V.I. Board of Education, told the committee that they were in support of the measure, with Ms. Berry-Benjamin stating she saw no harm with its intent.

Ms. Lockhart indicated to lawmakers that the board is tasked with providing the governor and Senate with a school plant and facilities management report annually. Those reports provide a comprehensive assessment of the territory's public schools' condition. "The board welcomes any opportunity to have a seat at the table with other pertinent stakeholders, to include community residents, when a decision of this magnitude is being made," Ms. Lockhart stated.

Even though all the senators in attendance agreed with the suggested measure's intent, Sen. Janelle Sarauw highlighted that there is a separation of power issue with the proposed legislation, stating that it violates the role of the Board of Education. "I understand the intent of the bill, but legislatively... we are overreaching; it's an encroachment," Ms. Sarauw said.

Both measures were held in committee.