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Frett-Gregory Bill to Establish School Construction and Maintenance Arm Within Education Department Rejected

Education / **Published On March 18, 2022 06:15 AM /**

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The abandoned Evelyn M. Williams Elementary School is being demolished and will be the new site of the the Arthur A. Richards PreK-8 School, according to the Dept. of Education. By. ERNICE GILBERT/ V.I. CONSORTIUM

A measure which seeks to establish the Bureau of School Construction and Maintenance within the Department of Education with the responsibility to construct and maintain public schools and other educational facilities, failed to win approval from members of the Senate Committee on Education and Workforce Development on Thursday.

An amendment to the bill narrowly received approval but when it came to actual voting on the measure, sponsored by Senate President Donna Frett-Gregory, the result was three yes votes from Ms. Frett-Gregory and Sens. Genevieve Whitaker and Kenneth Gittens. However, it received three no votes from Sens. Milton Potter, Kurt Vialet and Janelle Sarauw. Senator Carla Joseph did not vote.

“The bill has failed,” said Ms. Whitaker, who chairs the committee.

Bill No. [34-0079](#) is an Act amending Virgin Islands Code to establish the Bureau of School Construction and Maintenance within the V.I. Department of Education. It also seeks to change the Education Maintenance Fund to the School Construction and Maintenance Fund while making an appropriation of \$2.5 million from the V.I. Education Initiative Fund to the School Construction and Maintenance Fund.

Presenting the bill to the committee, Ms. Frett-Gregory said the physical state of public schools in the territory has been deteriorating for more than two decades due to inconsistent maintenance and limited resources, while some schools have experienced preventable structural failures resulting in injuries and the closure of entire school buildings.

“It is imperative that students, teachers and support staff be provided with safe, clean, and secure school facilities that support a nurturing and learning environment,” she said as part of her justification for creating the bureau. She further explained that as a start-up bureau, funds would not be removed from other areas for its establishment. “This is excess dollars that are sitting in the Education Initiative Fund,” she said.

Senator Kurt Vialet, before voting no, pointed out that the intent of the bill is excellent. “But the issue that I really have is it won't change anything; it's just taking one set of employees from here and you carrying them there ... is this the next level of bureaucracy or will it really drive change?” he questioned.

Asst. Dept. of Education Commissioner, Victor Somme III, in his testimony told the committee that in principle D.O.E. supports the bill but sees the need to improve it in some areas.

He further told the committee that the lack of adequate funding and a master plan to properly maintain and upkeep schools and facilities have contributed to the rapid decay of school buildings which range in age from 18 to 177 years, with an average age of 54 years.

“The Department of Education agrees with the idea that school maintenance and facilities should be structured similar to that of a semi-autonomous unit in order to allow the commissioner of Education and the district superintendents to focus on curriculum, instruction, student life while getting well-rounded support of public and private professionals,” he said.

Using his testimony to provide some recommendations with an aim of improving the objective of the bill, he confirmed that D.O.E. is in support of the bill though it's not perfect. The recommendations include updating the language to indicate that the director of the bureau would report to the commissioner of Education as opposed to the governor of the Virgin Islands. “This person will be responsible for all things maintenance and facilities and will update, advise, report on, and speak on behalf of the commissioner of Education,” he said.

Other recommendations include using language that clarifies how the leasing proceeds would work. According to the bill, the bureau would be eligible to negotiate with the commissioner of Property and Procurement for a percentage of the leasing proceeds. Mr. Somme also recommended updating the language to show how decisions to address daily maintenance would

be addressed swiftly at schools as opposed to waiting on a board to meet quarterly.

If the bill had become law, one of the first tasks of the Bureau of School Construction and Maintenance was to draft a master school construction and maintenance plan.

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