



# WAYNE STATE UNIVERSITY

## **FY2024: Capital Outlay Project Request Wayne Law Classroom Building**



Submitted to the State Budget Office  
October 28, 2022

**Attachment B**

**Fiscal Year 2024  
Capital Outlay Project Request  
Wayne Law Classroom Building**

**Institution Name:** Wayne State University

**Project Title:** Wayne Law Classroom Building

**Project Focus:** Academic

**Type of Project:** New Construction

**Program Focus of Occupants:** Law School

**Approximate Square Footage:** Approximately 80,000 gross square feet

**Total Estimated Cost:** \$40 million

**Estimated Start/Completion Dates:** Summer 2023 to Fall 2025

**Is the Five-Year Plan posted on the institution's public internet site?** Yes

**Is the requested project the top priority in the Five-Year Capital Outlay Plan?** Yes

**Is the requested project focused on a single, stand-alone facility?** Yes

**Project Purpose**

Wayne State University requests \$30 million in State Capital Outlay support to construct a new Wayne Law Classroom building. The total project budget is \$40 million, and the university plans to fund its 25 percent match plus any additional costs with philanthropic gifts and/or through debt financing.

Over the last five years, Wayne Law's JD program ranking in *US News and World Report* jumped from #100 to #58 in the country, and it ranks 2<sup>nd</sup> in the state. The program ranks 19th in the country in career placement success, and its graduates have some of the lowest debt to salary ratios compared to other state and national law programs. In addition, Wayne Law is 1 of only 2 public law programs in the state. Along with the J.D. program, Wayne State recently added both a master's in studies of Law (MSL) and an undergraduate minor in Law, both of whose enrollment and growth has already exceeded predictions (MSL- 54, Minor in Law- 330). And, in Fall 2023 Wayne Law expects to be one of just 6 schools in the nation, and the only one in the Midwest, to offer a B.A. in Law. Enrollment is expected to continue to grow significantly in the next few years, and classrooms and study areas are already strained as more students enter the program.

The purpose of the project is to both modernize and expand the instructional space for the Law Classroom Building, which is approaching 60 years old, by replacing the existing building with a new one that will match the caliber and meet the needs of Wayne Law's growing student population.

### **Scope of the Project**

The current Law Classroom building was built in 1966, when the total incoming enrollment of the Law School was 350 students: two classes of 125 students each during the day, and an evening class of 100 students. Prior to the construction of the building, classes were administered from a residential building on Cass Avenue with a converted garage that could hold 100 occupants. While the current building is a vast improvement on Wayne Law's beginnings, the expected growth of the program, combined with changes in pedagogy in the last 56 years necessitates a new academic environment for the school.

To accommodate these growing needs, the existing classroom building will need to be demolished. Once the building is torn down, a new one will be constructed on top of the old building footprint. This new building is anticipated to be four floors and a total of 80,000 gross square feet, including classroom, lecture, and student and faculty support spaces. It will also contain space for a mock trial classroom and areas designated for cohorts to meet and work together on their classwork. This new building will greatly reduce the space constraints with which the Law School currently struggles, as well as allow for more growth as the programs continue to expand. As Wayne Law's success grows, so will the number of students that wish to become Warriors. The trajectory for the law program is upward, and its students deserve the best space and facilities to succeed.

Taking advantage of the prominent location of the law complex, the design will provide insight into the innovative education and research within by leveraging transparency and incorporating collaboration spaces throughout the building. The Law School acts as a main gateway into the heart of Wayne State. Capitalizing on this, the new Wayne Law classroom building will become the figurehead of north campus. The proposed construction will provide students and the community with a comprehensive academic environment and state-of-the-art building systems. The focus of the new building will be on purpose-built spaces specifically made to grow with the times. Whether it is a push for a more technology-based learning environment (virtual reality, virtual desktop infrastructure, Hy-Flex learning, etc.) or a revival of paper methods, this space will be able to adapt to whatever academia throws its way.

Wayne Law added new minor and master's programs to its curriculum in 2021, with a major expected in fall 2023. With enrollment surpassing its predictions, more space is needed to accommodate the rapid growth. Large lecture halls will be needed for introductory courses that will now have higher attendance, and additional offices for the new faculty and staff will have to be created. To fit the unique requirements of the law program, classrooms will have to be tailored for specific purposes. Spaces that can turn into mock courtrooms, or host debates, or roundtables are integral to the learning experience. The goal of the new space is to foster coordination between all students in the law complex. Law students and students in non-J.D. programs will be working together in cohorts, supported by the spaces afforded them in this new building.

### **Program Focus of Occupants**

Wayne Law will occupy the Law Classroom Building and will offer both undergraduate and graduate instruction for the new B.A. and Minor in Law, MSL, and traditional J.D. and LL.M. programs. The building will include classroom space and accommodate the unique needs of the Law programs including mock trials, debates, and roundtables.

### **Additional Information:**

#### **How does the project support Michigan's talent enhancement, job creation and economic growth initiatives on a local, regional and/or statewide basis?**

Over the past 4 years, over 90 percent of Wayne Law grads have remained in Michigan, with one-fourth continuing to reside in Wayne County. This building will help ensure that those students are better prepared and better engaged as educated citizens armed with job competencies that promote economic growth within the state. Constructing a state-of-the-art Law Classroom building will allow students and faculty to work together in a rich learning environment that supports innovative teaching and collaborative student interaction. Having that supportive classroom and collaboration environment will help Wayne Law's student success efforts and thus enhance the Law School's visibility and national ranking, as well as its student career opportunities while continuing to increase the university's overall retention and graduation rates.

The recently added Minor in Law program provides instruction in the Socratic method to undergraduates to give them advanced skills through interdisciplinary programs with the School of Business, School of Social Work, College of Fine, Performing and Communications Arts, and the College of Liberal Arts and Sciences. The MSL program is geared toward non-lawyer professionals from major regional employers and attracts those who seek to enhance or change their careers. Wayne Law expects to expand this program to provide certificates in various concentrations.

The new BA in Law program will help students develop law-related critical thinking, communication skills, as well as foundational understanding of law that prepares them for a wide variety of careers and increases employability across multiple fields. It also has great potential to attract both out-of-state and international students to Michigan, many of whom will stay.

Improving the learning environment by creating a modern classroom building that serves the specific needs of the law program will help in recruitment of new students, retention of existing enrolled students, and graduation of all student cohorts. Since over 90% of Wayne Law students remain in Michigan, this improved learning environment will train a workforce that contributes to the economic growth and revitalization of Detroit, Southeastern Michigan, and to the State of Michigan.

#### **How does the project enhance the core academic, development of critical skill degrees, and/or research mission of the institution?**

The proposed construction will provide students and the community with a comprehensively supportive academic environment and state-of-the-art building systems. The focus of the new building will be on purpose-built spaces specifically designed for legal instruction and flexibility that allows the space to change over time as required. In addition to classroom instruction, the new building will accommodate Wayne Law's growing clinical and experiential footprint that conducts outreach and provides direct legal services to the community. Our law clinics help students bridge the gap between theory and practice, and

the services provided are broad, spanning everything from immigration and asylum to criminal appeals, assistance to entrepreneurs and businesses, legal advocacy for people with cancer, and more. We also are growing our non-clinical experiential programs that provide important community services: our Warrior Housing Corps, for example, which provides housing representation and other assistance to renters throughout the area. These learning opportunities provide hands-on casework to students while simultaneously assisting residents of the metro Detroit community. Welcoming spaces that ensure client privacy and sufficient support resources are critical for the success of these endeavors.

**How does the project support investment in or adaptive re-purposing of existing facilities and infrastructure?**

This project does not support investment in or adaptive re-purposing of an existing facility. The existing Law Classroom building would need to be extensively renovated with a significant addition to provide the density and quality of space needed by the growing programs offered by Wayne Law. The costs to do this would be exponentially higher than the cost to demolish the existing, one-story building and replace it with a new, four-story building.

**Does the project address or mitigate any current health/safety deficiencies relative to existing facilities? If yes, please explain.**

Although the existing 1966 facility complies with the building codes from the time the building was constructed and at times of limited renovation thereafter, the Law Classroom building does not meet current life safety code for new construction pertaining to fire sprinkler coverage, fire rating of building components, emergency lighting levels, door hardware, and accessibility requirements for restroom facilities and ramp slopes along a path of egress. A new building will remove all accessibility and life safety deficiencies. For example, the large classroom designs currently create difficulty in accessing the lectern for faculty with mobility issues and provide limited options for interaction with students. In addition, a new facility will meet indoor air quality (IAQ) and energy efficiency requirements which, considering the COVID-19 pandemic and rising energy costs, will greatly benefit the university.

**How does the institution measure utilization of its existing facilities, and how does it compare relative to established benchmarks for educational facilities?**

Wayne State utilizes a technique developed for the University System of Georgia (and hence adopted by several other states) to measure classroom utilization. The goal is to represent the two most important aspects of classroom utilization – how often in a week a room is used and a sense of the overall fit between the range of classroom sizes and section enrollments. Classrooms are analyzed by the number of seats in the room and the weekly room hours (WRH) a room can be scheduled for instruction. A general target is 40 hours of scheduled instruction which represents the target that many forward-looking states are moving toward on a national basis. Classroom supply is mapped against the number of students enrolled and the number of weekly room hours a room is scheduled to host. This provides a metric of how many empty seats are in a room while the class is in session and how often rooms are vacant and available for use. The target score based on this metric is in the range of 0.500 and 0.700.

In addition to tracking weekly room hours, the university also analyzes the size and amenities offered in classrooms. Traditional lecture halls require less assignable square footage per student compared to active learning or hy-flex classroom environments. Active and team-based learning pedagogies are increasingly being adopted by universities nationwide and Wayne State is no different. As the university looks to increase its offerings of active, project-based, experiential, and team-based learning courses, classrooms are being renovated with new technology and flexible furniture to facilitate the collaborative nature of these modalities. New and renovated classroom designs consider the need to assign more square footage

per student (usually at least 30 ASF per station for active learning) to provide classrooms that are less cramped and easier to move around in to encourage, and not impede, collaboration. This project is no exception, and all efforts will be made to incorporate learning spaces that can accommodate all the teaching modalities required by students and faculty into the future.

Wayne State's master plan, completed in fall 2019 showed that overall, our classroom utilization metric (excluding the School of Medicine and the Eugene Applebaum College of Pharmacy and Health Sciences) was 0.281, well below the targeted range of 0.500 and 0.700. Our analysis suggested that the university overall has a surplus of classroom space and should better promote classroom use throughout the day and week. Additionally, the surplus of classroom spaces speaks to a lack of classroom sizes and typologies that adequately response to pedagogical needs. Through our ongoing implementation of the master plan framework, Wayne State has already taken significant steps to address the classroom utilization disparities by commencing the full renovation of State Hall, our largest, general-purpose classroom building on campus. This effort will allow a consolidation of fragmented classrooms across campus for general-purpose use. Along with the centralization and renovation of more appropriate general-purpose classroom facilities, efforts such as the Law Classroom building project, are underway to better align departmentally assigned classrooms with the programmatic needs of the various schools and colleges. All these consolidation efforts will allow the university to intentionally review its current real estate and identify opportunities to shed underutilized and underperforming space to better align with its financial obligations and operational requirements.

**How does the project help to improve the utilization of existing space and infrastructure, or conversely how does current utilization support the need for additional space and infrastructure?**

The current Law Classroom Building is currently being utilized at maximum capacity when considering two factors, the average seat count, and the demand for certain classroom sizes. This means that most classes are not being taught in right-sized spaces. This is likely due to wrongly sized classroom availability that pushes smaller classes into larger rooms, and a surplus of inadequate and inappropriately sized rooms in some of the oldest classroom facilities. Consider for example, the non-J.D. programs that currently have an enrollment of 384 students have a projected enrollment of 661 by 2026. It will be especially important for the Law School to be able to conduct its undergraduate classes in suitable spaces that allow students to break out into teams, respond to hypotheticals in class, and engage in broad discussions with instructions and fellow students, activities that are all difficult in the current classroom building environment.

Our renovation plan addresses these weaknesses and will allow a decidedly more efficient use of the new building. The new construction will be designed according to the weekly room hour demand per classroom size by the law school. This approach anchors our plan in data identifying the most useful distribution of classroom sizes. The facility will also include larger classrooms that can be separated into two smaller classrooms with partition walls; along with rooms specifically designed for mock trials, debates, and roundtables integral to the learning experience. This will allow the new building to stay effective and efficient should classroom size demands change in the future.

A larger Law School classroom building that accommodates all its students, also would allow the university to continue plans for consolidation and improved utilization across campus to make the space currently being used by the Law School outside the Law Building available to other programs.

The existing law classroom building was built in 1966, and as such, the building systems and interior finishes span multiple eras due to episodic maintenance over the years. While the new construction will

include new infrastructure, it is important to recognize the benefits to demolishing the older building as deferred maintenance will be eliminated.

In 2021, the University engaged Gordian to perform a comprehensive facilities analysis of the campus. Reviewing the existing Law Classroom Building, Gordian found a total identified need of \$3.14 million, of which, \$2.03 million is deferred maintenance. Base building HVAC equipment, building automated controls, and plumbing and domestic water distribution systems are some of the major backlog projects needed for the existing building. In addition, architectural core, and shell items such as glazing, and roof systems need replacement. Furniture, finishes, and equipment (FFE) are dated and require replacement. Lighting and power distribution systems have been upgraded in phases, but a comprehensive review and update is warranted.

Currently, the Law Classroom Building is a single-story building, surrounded by three to four-story structures. Given the visibility of the northern edge of campus, the low density of the existing building does not contribute to an effective urban planning strategy on campus. The stature of Wayne Law is not represented in the existing structure's architecture or utilization. Constructing a new building that appropriately integrates the area including the existing Law School and Law Library structures offers an opportunity to create a destination zone for students. This project will allow students to identify with their cohorts through place, contributing to the inclusive and welcoming campus Wayne State endeavors to provide.

### **How does the institution intend to integrate sustainable design principles to enhance the efficiency and operations of the facility?**

In accordance with the strategic plan put in place by our sustainability office, all Wayne State University new construction and major renovation projects built in recent years have been designed to achieve Leadership in Energy and Environmental Design (LEED) Gold certification or higher. Completed in 2016, our Advanced Technology Education Center (ATEC) earned the University's first LEED Gold ranking. Likewise, the Integrative Biosciences Building (2016), The Mike Ilitch School of Business building (2018) and the STEM building (2021) all achieved LEED Gold. And the soon-to-be completed renovation of State Hall (2023) is designed to meet those standards as well.

The sustainability plan calls for use of the campus as a learning laboratory while integrating environmentally based learning into a broad cross-section of the academic curriculum. The increasing interdisciplinarity of the programs offered by the Law School mean more students across the university will utilize this new building, thus fulfilling this goal by providing innovative sustainability features integrated into the building environment. Sustainability-focused buildings enhance the learning environment by providing a clean, healthy, collaborative, productive space that helps students to perform at higher levels.

The WSU Sustainability Plan calls for a 25% reduction in greenhouse gas emissions by using energy innovation, energy conservation measures and improving the building envelope to help further reduce the university's carbon footprint by an additional 27% by 2030. This project will incorporate HVAC equipment, building automations systems, LED lighting, daylight harvesting, and replacement of older materials such as single-pane windows with multi-pane windows to improve energy efficiency and savings.

In an ever-changing pedagogical landscape, the university must refrain from designing rooms that support a narrow set of functions. Anytime the university sinks capital into altering a classroom to meet whatever

best practice exists for that time, it commits itself to unnecessarily spending more resources down the road. Under the ethos of “future-proofing” a new Law School classroom building, Wayne State can reinvent and equip classrooms in a way that adapt to a variety of teaching activities and learning styles. Having one space that can perform the same tasks of a variety of needs saves the university materials, operational costs, and other scarce resources.

**Are match resources currently available for the project? If yes, what is the source of the match resources? If no, identify the intended source and the estimated timeline for securing said resources.**

No matching funds are currently available for this project. In conjunction with the university’s capital master plan, a debt capacity study is currently underway that will result in a multi-year capital financing plan. It is anticipated that the additional funding for this project will be provided by a future bond issuance and/or philanthropic gifts.

**If authorized for construction, the state typically provides a maximum of 75% of the total cost for university projects and 50% of the total cost for community college projects. Does the institution intend to commit additional resources that would reduce the state share from the amounts indicated? If so, by what amount?**

The total project cost to design and construct the new Law Classroom building is estimated at \$40 million. As part of the FY24 funding cycle, Wayne State University is requesting State Capital Outlay funding support in the amount of \$30 million or 75 percent of the estimated project cost. We expect to fund the balance by philanthropic gifts and debt financing.

**Will the completed project increase operating costs to the institution? If yes, please provide an estimated cost (annually, and over a five-year period) and indicate whether the institution has identified available funds to support the additional cost.**

The existing Law Classroom building is one story and 17,689 gross square feet. Operational costs for this building annually equate to \$242,500, or approximately \$3.71 per gross square foot. The new Law Classroom building is anticipated to be a four-story, 80,000 gross square foot building and is anticipated to see an annual operational cost of \$1 million annually and \$5.5 million over a five-year period, maintaining an approximate cost of \$3.71 per gross square foot. As we move into the programming and schematic design phase of the project, these anticipated costs will be tested against potential energy cost savings. While operational costs for a larger building are expected, net tuition revenue anticipated from the growth in the recently added programs and the new B.A. in Law will more than fully offset increased operational costs. In addition, energy efficiency savings and other consolidation/centralization efforts across campus will contribute to offsetting any increased operational costs from this project. This project will also eliminate an estimated \$3.14 million in building operations and maintenance needed for the Law Classroom building as identified by the Gordian analysis.

**What impact, if any, will the project have on tuition costs**

This project will not have any direct impact on tuition costs.

**If this project is not authorized, what are the impacts to the institution and its students?**

Student success and teaching excellence are critical components of the university’s mission. Educational excellence can only be achieved if appropriate instructional facilities exist to support pedagogical innovation and needs. The current Law Classroom Building is currently equipped primarily with

traditional classrooms, many of which lack adequate technology and electrical components to support contemporary learning modes. Renovation of our primary instructional facility will provide our students with up-to-date, flexible classrooms that are equipped with enabling active learning technologies. If this project is not authorized and advanced, faculty will be limited in their ability to teach using a variety of pedagogical modes and their students will risk falling behind their peers regionally and nationally, simply due to aging, obsolete and deficient facilities.

Students and their parents have become sophisticated consumers of education and understand that facilities are important to their choices of institution. The Law Classroom's current shortcomings are a constant frustration to faculty and students, but also a deterrent to recruitment of students because parents are looking for modern facilities that will give their child the best opportunities to learn. The current Law Classroom building detracts from the Law School's ability to recruit, especially when compared to many of our tri-state regional competitor's spaces.

If the Law Classroom Building is not replaced, the increasing influx of students in the various Law School programs combined with further aging facilities will create future financial consequences for performing urgent work in a piecemeal fashion. Code deficiencies relating to accessibility and life safety must be rectified holistically or else the building becomes a patchwork of inconsistent systems that cannot be depended upon. Refurbishing classrooms without also repairing or replacing vital systems serving the whole building can lead to a range of issues that are integral to building safety and comfort.

**What alternatives to this project were considered? Why is the requested project preferable to those alternatives?**

Considering the age of the existing Law Classroom building, as well as the deferred maintenance backlog and need for additional space within the law complex, very few alternatives exist to address the needs of this growing program. As we develop implementation efforts related to the Wayne Framework, Wayne State's recent campus master plan, centralization of programmatic space is key to focus energy and activity in an "enhanced academic core," reversing the university's recent trend to dispersal.

Recognizing the current enrollment trends in academia, the Wayne Framework includes a comprehensive consolidation effort for departments on campus. The goal is two-fold: to eliminate under-utilized space the university is paying for, and to move departments together to create a more unified feeling for both students and faculty. We are currently trying to take buildings offline that have a backlog of deferred maintenance, as an effort to provide a better learning experience for the students. We do not need all the space we currently have, and we recognize that. But we need appropriate buildings into which to move these departments for consolidation to make sense. To respond to the demographics and pedagogical needs of future students, we are acknowledging the need for better, more flexible space that can respond to the academic climate for years to come.