

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 8, 2005

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **RULE 7330 – NEW CONSTRUCTION: CAPITAL PROJECTS THAT ARE FUNDED BY PRIVATE DONATIONS**

ORIGINATOR: J. Robert Haines, Deputy Superintendent, Business Services

RESOURCE PERSON(S): Barbara Burnopp, Executive Director, Fiscal Services

INFORMATION

Superintendent's Rules 7330 and 7530 were added to address additional concerns related to the naming and funding of capital projects. This rule aligns with Policy 7330.

Appendix I: Superintendent's Rule 7330

NEW CONSTRUCTION: FINANCING

CAPITAL PROJECTS THAT ARE FUNDED BY PRIVATE DONATIONS

IN ACCORDANCE WITH BOARD OF EDUCATION POLICY 7330, REQUESTS BY INDIVIDUALS, PRIVATE ORGANIZATIONS, PARENTS, COMMUNITY GROUPS, OR BUSINESSES TO PROVIDE FUNDING FOR A CAPITAL PROJECT MUST COMPLY WITH THE FOLLOWING STANDARDS IN ORDER TO BE PRESENTED TO THE BOARD OF EDUCATION FOR APPROVAL. THIS RULE ALSO DETAILS THE RESPECTIVE ROLES OF THE PRINCIPAL, THE DEPARTMENT OF PHYSICAL FACILITIES, DEPARTMENT OF FISCAL SERVICES, LAW OFFICE, AND THE PROSPECTIVE DONOR.

I. PROPOSALS

PROPOSALS TO PROVIDE PRIVATE DONATIONS FOR CAPITAL PROJECTS MUST BE INITIALLY PRESENTED TO THE PRINCIPAL OF A SCHOOL. PRINCIPALS ARE ALSO RESPONSIBLE FOR PROVIDING TO ANY PROSPECTIVE DONOR OR INTERESTED PARTIES A COPY OF THIS RULE AND ITS ACCOMPANYING POLICY.

ANY PROPOSAL TO PROVIDE PRIVATE DONATIONS FOR A CAPITAL PROJECT MUST INCLUDE, AT A MINIMUM, THE FOLLOWING COMPONENTS:

- A. NAME OF THE PRIVATE DONOR, GROUP OF DONORS, OR ORGANIZATION
- B. FOR IN-KIND DONATIONS, INSURANCE CARRIED BY THE DONOR OR GROUP OF DONORS
- C. AMOUNT AND MANNER OF DONATION
- D. DISCLOSURE OF ANY AND ALL BUSINESS AFFILIATIONS THAT THE DONOR OR GROUP OF DONORS HAS WITH THE SCHOOL AND SCHOOL SYSTEM
- E. ASSURANCES THAT THE INDIVIDUAL OR ORGANIZATION PROPOSING THIS PROJECT SHALL NOT INVOLVE ANY SCHOOLS, OFFICES, OR STUDENTS IN ANY FUND-RAISING ACTIVITIES INVOLVING FUNDING FOR THIS CAPITAL PROJECT.
- F. CAPITAL PROJECT BEING RECOMMENDED, WITH ACCOMPANYING RATIONALE AND BACKGROUND

INFORMATION ON THE PROJECT AND RELATED SITE REQUIREMENTS

- G. ABILITY OF THE PROJECT TO MEET ENGINEERING STANDARDS AND SUFFICIENCY
- H. REQUEST FOR NAMING RIGHTS, IF ANY (SEE BOARD POLICY NO. 7530 ON NAMING OF A CAPITAL PROJECT OR AREA OF SCHOOL)
- I. INDEMNIFICATION OF THE BOARD OR EDUCATION OF BALTIMORE COUNTY AND THE SUPERINTENDENT OF SCHOOLS
- J. THE IMPACT ON ENROLLMENT AT THE SCHOOL
- K. THE IMPACT ON STUDENTS AND THE COMMUNITY.

II. PROJECTS

- A. EXAMPLES OF PROJECTS THAT MAY BE CONSIDERED UNDER THIS RULE INCLUDE:
 - 1. PROJECTS RELATED TO ATHLETICS, SUCH AS BLEACHERS, STADIUM LIGHTS, OR PRESS BOXES
 - 2. SUPPLEMENTAL ARCHITECTURAL, LANDSCAPING OR AESTHETIC ENHANCEMENTS
 - 3. RECREATIONAL IMPROVEMENTS, SUCH AS PLAY GROUNDS, AND FIELDS
 - 4. CURRICULUM BASED PROJECTS, SUCH AS AUDITORIUMS, AND SCHOOL SIGNS
- B. THE EXECUTIVE DIRECTOR OF PHYSICAL FACILITIES WILL ESTABLISH CRITERIA FOR THE REVIEW OF ANY PROPOSED PROJECT PRESENTED UNDER THIS RULE. SUCH CRITERIA SHALL BE PROVIDED TO ANY INTERESTED PARTY, AND MAY INCLUDE THE FOLLOWING:
 - 1. THE BURDEN ON THE SCHOOL SYSTEM TO MAINTAIN THE CAPITAL PROJECT WHEN COMPLETED
 - 2. COMPLIANCE WITH BUILDING CODE, SAFETY AND REGULATORY STANDARDS

3. THE IMPACT ON SAFETY, SECURITY OR SCHOOL OPERATIONS
 4. COMPLIANCE WITH EXPECTED STANDARDS FOLLOWED FOR OTHER BCPS PROJECTS OF SIMILAR SCOPE
 5. THE IMPACT OF THE PROJECT ON THE IMPLEMENTATION OF COUNTY-SUPPORTED PROGRAMS
 6. THE ELIGIBILITY OF THE PROJECT FOR FUNDING FROM THE STATE OR COUNTY
 7. THE IMPACT ON STUDENTS AND THE COMMUNITY
 8. THE IMPACT ON STUDENT ENROLLMENT CAPACITY AT THE SCHOOL
 9. ABILITY OF THE PROJECT TO MEET ENGINEERING STANDARDS AND SUFFICIENCY
 10. THE IMPACT ON THE SCHOOL SITE
- C. THE EXECUTIVE DIRECTOR OF PHYSICAL FACILITIES MAY REJECT ANY PROJECT FAILING TO MEET THE STANDARDS SET FORTH IN SECTION B.
- D. THE EXECUTIVE DIRECTOR OF FISCAL SERVICES WILL REVIEW WITH THE LAW OFFICE ON THE ADEQUACY OF PROPOSED FUNDING. THE EXECUTIVE DIRECTOR OF FISCAL SERVICES MAY REJECT ANY PROJECT BECAUSE OF INADEQUATE FUNDING.
- E. THE EXECUTIVE DIRECTOR OF PLANNING AND SUPPORT OPERATIONS WILL REVIEW THE PROPOSAL FOR IMPACT ON STUDENT ENROLLMENT. THE EXECUTIVE DIRECTOR OF PLANNING AND SUPPORT SERVICES MAY REJECT ANY PROJECT BECAUSE OF A REDUCTION IN STUDENT ENROLLMENT CAPACITY.
- F. ONCE THE PROPOSAL HAS BEEN APPROVED BY THE EXECUTIVE DIRECTORS OF PHYSICAL FACILITIES, FISCAL SERVICES, AND PLANNING AND SUPPORT OPERATIONS, THE APPROPRIATE EXECUTIVE DIRECTOR OF SCHOOLS SHALL PRESENT THE PROJECT TO THE SUPERINTENDENT AND THE BOARD OF EDUCATION FOR APPROVAL.

- G. THE EXECUTIVE DIRECTOR OF PHYSICAL FACILITIES RETAINS THE AUTHORITY TO MANAGE ANY BCPS CAPITAL PROJECT.
- H. PARTIES MAKING THE PROPOSAL WILL BE GIVEN NOTIFICATION OF A REJECTED PROPOSAL, WITH EXPLANATION IF CHANGES ARE REQUESTED. REJECTED PROPOSALS MAY BE RESUBMITTED IF THEY ARE CHANGED.

III. FINAL APPROVAL

- A. FINAL APPROVAL OF CAPITAL PROJECTS RESIDES WITH THE BOARD OF EDUCATION OF BALTIMORE COUNTY.

RELATED POLICIES: BOARD OF EDUCATION POLICY 8362, GIFTS TO THE BOARD OF EDUCATION, SCHOOLS, AND OFFICES WITHIN THE SCHOOL SYSTEM

BOARD OF EDUCATION POLICY 8363, CONFLICT OF INTEREST

BOARD OF EDUCATION POLICY 7530, NAMING OF A CAPITAL PROJECT OR AREA OF A SCHOOL.

RULE
APPROVED: _____

SUPERINTENDENT OF SCHOOLS