

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 of Baltimore County (Board) for approval. This rule details the respective roles of the principal, the Department of Physical Facilities, Department of Fiscal Services, Department of Planning and Support Operations, Law Office, and the prospective donor.

I. Proposals

Proposals to provide private donations for capital projects must be initially presented to the principal of the school by a donor(s). The principal is responsible for providing to any prospective donor or interested parties a copy of this rule and its accompanying policy.

The principal is responsible for assuring that proposals to provide private donations for a capital project must include 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, and evaluation of provisions to account for future maintenance of equipment needs, if any.
- 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 by ensuring funds are included for licensed professionals to design, review, and manage work through completion.
- H. Request for naming rights, if any (see Board Policy 7530 on naming of a capital project or area of school).

- I. Indemnification of the Board and the Superintendent.
 - J. The impact on enrollment at the school.
 - K. The impact on students and the community.
 - L. Proposals shall include an acknowledgement that the donor is responsible for any project cost overruns.
- II. Projects
- A. Examples of projects that may be considered, but not limited to, 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 playgrounds and fields.
 - 4. Curriculum based projects, such as auditoriums and school signs.
 - B. The Department of Physical Facilities' staff shall review applicable proposed projects presented under this rule. The review shall include the following:
 - 1. The impact on the maintenance budget for preventative maintenance.
 - 2. Compliance with applicable building codes.
 - 3. Compliance with safety, security, school operations, and regulatory policies and standards.
 - 4. Consistency of compliance with expected standards followed for other Baltimore County Public Schools' (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.
 - 11. The Department of Physical Facilities will provide the principal and/or the donor's engineer with the appropriate requirements and procedures to implement construction projects funded by private donations or in-

kind services, provide guidance, and help monitor the project.

- C. The Executive Director of Physical Facilities may reject any project failing to meet standards set forth in Section II B.
- D. The Executive Director of Planning and Support Operations will review the proposal for impact on student enrollment and risk management. The Executive Director of Planning and Support Operations may reject any project because of a reduction in student enrollment capacity or risk management issues.
- E. The Chief Financial Officer will confer with the Law Office on the adequacy of proposed funding. The Chief Financial Officer may reject any project because of inadequate funding.
- F. The principal will present all agreements and legal documents to the Law Office for evaluation and review for legal sufficiency. All presentations should identify the scope of work, funding mechanism, contract(s), and assurance for indemnification of the Board and the Superintendent.
- G. Once the proposal has been approved by the Executive Director of Physical Facilities, Executive Director of Planning and Support Operations, Chief Financial Officer, and the Law Office, the appropriate Area Assistant Superintendent shall present the project to the Superintendent and the Board for approval. A signed approval sheet must accompany the proposal.
- H. The Executive Director of Physical Facilities retains the authority, but is not obligated, to manage any BCPS privately funded capital project.
- I. 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 modified to comply with the policies of BCPS.

III. Final Approval

- A. All recommendations to accept privately funded capital projects shall be forwarded to the Board for final approval.
- B. FOLLOWING BOARD ACTION, PROJECT INFORMATION SHALL BE FORWARDED TO THE DEPARTMENT OF PHYSICAL FACILITIES, OFFICE OF ENGINEERING AND CONSTRUCTION.

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: 3/08/05
Revised: 4/24/07
Revised: 7/8/08
REVISED:

Superintendent of Schools

BALTIMORE COUNTY PUBLIC SCHOOLS

PRIVATELY FUNDED CAPITAL PROJECT APPROVAL SHEET

| |
|---|
| SCHOOL: |
| DONOR |
| NAME _____ |
| E-MAIL _____ |
| TELEPHONE _____ |
| BRIEF PROJECT DESCRIPTION (ATTACH COMPLETE PROPOSAL WITH NECESSARY PROJECT INFORMATION AS INDICATED IN BCPS POLICY AND RULE 7330) |
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PROJECT APPROVAL

(SIGNATURES REQUIRED IN THE FOLLOWING ORDER)

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| SCHOOL ADMINISTRATOR | _____ | DATE _____ |
| AREA ASSISTANT SUPERINTENDENT | _____ | DATE _____ |
| DEPARTMENT OF PHYSICAL FACILITIES: | | |
| OFFICE OF ENGINEERING AND CONSTRUCTION | _____ | DATE _____ |
| OFFICE OF MAINTENANCE AND GROUNDS | _____ | DATE _____ |
| OFFICE OF OPERATIONS | _____ | DATE _____ |
| DEPARTMENT OF PLANNING AND SUPPORT OPERATIONS | _____ | DATE _____ |
| OFFICE OF RISK MANAGEMENT | _____ | DATE _____ |
| CHIEF FINANCIAL OFFICER | _____ | DATE _____ |
| LAW OFFICE | _____ | DATE _____ |
| BCPS BOARD OF EDUCATION | _____ | DATE _____ |

FOLLOWING BOARD ACTION, RETURN TO THE DEPARTMENT OF PHYSICAL FACILITIES. THE DEPARTMENT OF PHYSICAL FACILITIES WILL PROVIDE COPIES OF THE COMPLETED FORMS TO THE PRINCIPAL AND THE AREA ASSISTANT SUPERINTENDENT.