



NEW CONSTRUCTION: Financing

Capital Projects that Are Funded By Private Donations

I. Purpose

- A. To establish procedures for processing requests by individuals, private organizations, parents, community groups, or businesses to provide funding for a Baltimore County Public School (BCPS) capital project. The following standards must be followed in order for a request to be considered for presentation to the Board of Education of Baltimore County (Board) for approval.

II. Projects

- A. Examples of projects that may be considered, under this Rule include, but are not limited to, the following:
  - 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.

III. Proposals

- A. Donors will submit all proposals for donations under this Rule to the principal of the school.
- B. All proposals must include the following components:
  - 1. Name of the private donor, group of donors, or organization.
  - 2. For in-kind donations, insurance carried by the donor or group of donors.
  - 3. Amount and manner of donation, and evaluation of provisions to account for future maintenance of equipment needs, if any.
  - 4. Disclosure of any and all business affiliations that the donor or group of donors has with the school and school system.

5. 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.
6. Capital project being recommended, with accompanying rationale and background information on the project and related site requirements.
7. 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.
8. Request for naming rights, if any.
9. Indemnification of the Board and the Superintendent.
10. The impact on enrollment at the school.
11. The impact on students and the community.
12. Proposals shall include an acknowledgement that the donor is responsible for any project cost overruns.

#### IV. Responsibilities

##### A. School Principal

1. The principal is responsible for providing to any prospective donor or interested party a copy of Board of Education Policy and Superintendent's Rule 7330.
2. The principal is responsible for ensuring that proposals include all components required by Section III.(B.) above.
  - a. The proposal will be circulated for approval by completing the *Privately Funded Capital Project Approval Sheet*. (See, Rule 7330, Form A)

##### B. Department of Physical Facilities

1. The Department of Physical Facilities shall review proposed projects presented under this Rule. The review shall include the following:
  - a. The impact on the maintenance budget for preventative maintenance.
  - b. Compliance with applicable building codes.
  - c. Compliance with safety, security, school operations, and regulatory policies and standards.
  - d. Consistency of compliance with expected standards followed for other BCPS projects of similar scope.
  - e. Impact of the project on the implementation of county-supported

- programs.
  - f. Eligibility of the project for funding from the State or County.
  - g. Impact on students and the community.
  - h. Impact on student enrollment capacity at the school.
  - i. Ability of the project to meet engineering standards and sufficiency.
  - j. Impact on the school site.
  - 2. Provide the principal and the donor's engineer with the requirements and procedures to implement construction projects under this Rule; provide guidance; and help monitor the project.
  - 3. The Executive Director of Physical Facilities may reject any project failing to meet standards set forth in Section IV.(B.).
  - 4. The Executive Director of Physical Facilities retains the authority, but is not obligated, to manage any BCPS privately funded capital project.
- C. Executive Director, Department of Planning and Support Operations
- 1. Will review the proposal for impact on student enrollment and risk management.
  - 2. May reject any project due to a reduction in student enrollment capacity or risk management issues.
- D. Chief Financial Officer
- 1. Will confer with the Law Office on the adequacy of proposed funding.
  - 2. May reject any project because of inadequate funding.
- E. Office of Law
- 1. The principal will forward all agreements and legal documents to the Office of Law for evaluation and review for legal sufficiency. The documentation shall include the scope of work, funding mechanism, contract(s), and assurance for indemnification of the Board and the Superintendent.
- V. Recommendation and Rejection of Proposal
- A. Once the proposal has been approved by the Executive Director of the Department of Physical Facilities, Executive Director of the Department of Planning and Support Operations, Chief Financial Officer, and the Office of Law, the Assistant Superintendent for the school involved shall present the

project and make a recommendation for acceptance or rejection to the Superintendent.

1. A signed approval sheet must accompany the proposal.
- B. If the project is rejected, the party making the proposal will be given notice in writing, with explanation if changes are requested.
1. Rejected proposals may be resubmitted if they are modified to comply with the policies of the Board.

VI. Final Approval

- A. The Superintendent will present to the Board in an open meeting a recommendation on accepting a proposal for a capital project funded by private donations.
- B. Final approval for the acceptance of a recommendation to accept privately funded capital projects rests with the Board.
- C. The Board will take final action on the Superintendent's recommendation at a regularly scheduled meeting of the Board.
- D. Following Board approval, all project documentation shall be forwarded to the Executive Director of the Department of Physical Facilities, who will be responsible for notifying the donor of project approval.

Related Policies: Board of Education Policy 7520, *Naming of the Building and Dedication*  
Board of Education Policy 7530, *Naming of a Capital Project or Area of a School*  
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*

Rule

Superintendent of Schools

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