NEW CONSTRUCTION: Financing

Capital Projects Funded By Private Donations

I. Purpose

To establish procedures for processing requests by individuals, private organizations, parents, community groups or businesses to provide funding for a Baltimore County Public Schools (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

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

A. Projects related to athletics, such as scoreboards, bleachers, stadium lights or press boxes;

B. Supplemental architectural, landscaping or aesthetic enhancements;

C. Recreational improvements, such as playgrounds and fields; and

D. Curriculum-based projects, such as auditoriums and school marquee signs.

III. Proposals

A. Donors shall 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 fundraising
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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; and
12. Proposals shall include an acknowledgement that the donor is responsible for any project cost overruns.

IV. Responsibilities

A. School Principal

The school principal is responsible for:
1. Providing to any prospective donor or interested party a copy of Board Policy and Superintendent’s Rule 7330.
2. Ensuring that the proposal includes each of the components required by Paragraph III(B) above;
3. Completing the Privately Funded Capital Project Approval Sheet (see, Rule 7330, Form A); and
4. Circulating the proposal for approval.

B. Executive Director, 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; and
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 Information Technology
   1. Will review the proposal for compatibility with technology systems.
   2. May reject any project if the impact of the technology being supplied does not meet network protocols or instructional technology standards.

D. Executive Director, Office of Research and Strategic Planning
   1. Will review the proposal for impact on student enrollment.
   2. May reject any project due to a reduction in student enrollment capacity issues.

E. Manager, Office of Risk Management
   1. Will review the proposal to determine if any potential risks exist.
   2. May reject any project due to a risk management issue.

F. Executive Director, Department of Fiscal Services
   1. Will confer with the Office of Law on the adequacy of proposed funding.
   2. May reject any project because of inadequate funding.

G. General Counsel, Office of Law
   1. The principal will forward all agreements and legal documents to the General Counsel for evaluation and review for legal sufficiency.
   2. 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. The proposal requires the approval of:
   1. Executive Director, Department of Physical Facilities;
2. Executive Director, Department of Information Technology;
3. Executive Director, Office of Research and Strategic Planning;
4. Manager, Office of Risk Management;
5. Executive Director, Department of Fiscal Services; and
6. General Counsel, Office of Law.

B. Once the proposal has received the approval of each of the required signatories, the Community Superintendent for the respective school shall present the proposal to the Superintendent with a recommendation for acceptance or rejection.

VI. Rejection of Proposal

A. If the project is rejected, the party making the proposal will be given notice, in writing, with an explanation if changes are requested.

B. Rejected proposals may be resubmitted if modified to comply with the requirements of the Board.

VII. 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. The completed Privately Funded Capital Project Approval Sheet will be included in the Board exhibit.

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.
Rule

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Superintendent of Schools