

POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND
CONSTRUCTION, RENOVATION AND MAINTENANCE	POLICY 202

202.1 Facilities Master Plans

The Board of Education (Board) will maintain long-term facilities master plans for constructing, renovating and maintaining public school facilities in Frederick County. The master plans shall attempt to balance the need for new seats with the need for renovations to existing buildings. The Board will review these plans annually and adopt a plan after considering public comment. The Board will work cooperatively with the State of Maryland, Frederick County Executive and County Council, and other elected officials to obtain adequate state and local funding and to implement the plans.

202.2 New School Buildings

The Board will use prototype designs whenever possible. Schools will be constructed to maximum approximate capacities:

- Elementary schools – 700 students
- Middle schools – 900 students
- High schools – 1600 students

All other schools will be constructed to accommodate the number of students determined by the Board to be appropriate to the school’s function.

The Board may authorize exceptions to the capacity figures shown above.

202.3 School Site Acquisition

The Board will work collaboratively with the Frederick County Executive, County Council and Planning Commission to maintain criteria for school site acquisition and work to maintain a sense of community when selecting school sites. Considerations in the site selection process will include:

- The site is consistent with the land use plans prepared and approved by Frederick County, the City of Frederick or municipality.
- The site is adequate in size and physical characteristics to meet site design requirements for the size and type of school intended for the site.

Legal Reference	MD Annotated Code, Education Article §5-112 Bids		
	MD Annotated Code, Education Article §4-115 Acquisition and Disposition of Real Property...		
	MD Annotated Code, Education Article §5-301 State Payment of Certain Public School...		
	MD Annotated Code, State Finance & Procurement Article §14-301 Definitions		
	COMAR 21.11.03 State Procurement Regulations – Minority Business Enterprise Policies		
Policy History	Reviewed: 2016	Adopted: 10/22/03	Revised: 7/13/16

- The site is in compliance with State, County and Municipal site development regulations.
- Adjoining, existing and future planned land uses of the site are compatible with the type of school planned.
- The site has acceptable utility, road and pedestrian access available.

202.4 Specific Project Approval

Educational specifications and designs for all projects shall be subject to Board approval. The Board will review educational specifications and designs at the Board's work session before granting Board approval. For new schools, school additions or major renovations, the Board must approve each major step in the design process, including schematic designs, design development documents, and construction documents.

202.5 School Construction/Use of Minority Business Enterprises (MBE)

The Board shall require staff to enable a Procurement Review Group (PRG) to review and analyze each construction project or type of work and the potential for certified minority businesses to participate in the project. Based on these factors, individual project goals and sub-goals for a project may be higher or lower than the standard percentages. It is also possible that some projects could have no MBE requirements, if specific circumstances justify that decision. When bidding as general or prime contractors, all general contractors and subcontractors, including certified MBE firms, are required to attempt to achieve the MBE subcontracting goals from the certified MBE firms approved by the Maryland Department of Transportation (MDOT).

This MBE procedure is applicable to all public school construction projects approved for partial state funding through the state public school construction program.

202.6 Easements or Rights-of-Way

The Superintendent or designee shall have authority to act on behalf of the Board in approving easements or rights-of-way of less than one (1) acre to allow utility connections or improvements at existing school facilities or for Board approved projects. The Superintendent or designee shall report to the Board when such approvals are provided.

202.7 Developer-Funded School Construction Projects

The Board supports the funding of school construction through Board agreements with developers as one approach to addressing Frederick County Public Schools (FCPS) facility needs and the consequences of residential development in the county. Such agreements will be considered only in conjunction with county and municipal growth management regulations. Projects that will be considered for developer funding include school additions, new schools/facilities and addition/renovations. The principal goal of any project approved under this policy is to eliminate overcrowding and improve the

educational setting for students and staff. The following guidelines will be considered for developer-funded projects:

A. Developer Responsibilities

The project scope (the size of the school project) will encompass the existing enrollment and capacities of the schools serving the site, the enrollment impact of the residential development under review, enrollment growth from the surrounding neighborhoods, and other residential developments in the school attendance area that have preliminary plans in process or approved.

As a condition of the agreement between the Board and the developer, and in conjunction with agreements approved by the County, the developer will not record lots until the scope of work for the project is approved by the Board that successfully addresses current and potential future overcrowding of schools serving the site. The approved scope of work will be incorporated into an agreement between the developer and the Board.

Once an agreement is in place, funding for the project must be provided or guaranteed prior to design and construction. The developer may withdraw after the design phase if it does not want to proceed with funding construction of the project. If the developer does not wish to proceed, then the agreement is voided. Any funds expended during the design phase are non-refundable. Any plans completed during the design phase become the property of the Board.

B. Board Responsibilities

Funding for the project will incorporate the total project cost, including the cost of offsite public improvements, as determined by the Board.

As with all projects, the Board will determine the project's scope, including the size and specifications as required to meet the needs of schools in the community.

For school construction projects funded by a developer(s) to address school overcrowding, the Board will not request State funding for construction. The project will not be recommended for inclusion in the County CIP and thereby make residential capacity available for other residential projects under the County's or a municipal adequate public facilities ordinance.

The Board supports partnerships as a means of providing school construction funding.

All projects will be considered as part of and in cooperation with county or municipal plans and review and approval procedures.

C. Staff Responsibilities

As with all projects, FCPS staff will manage the design, procurement and construction of the project. The project will utilize standard FCPS project management processes and procedures. The developer will reimburse FCPS for direct costs associated with project management.