



POLICY 7.26

5-B I recommend the Board approve the proposed new Policy 7.26, to be entitled "Facilities or Grounds Modifications Funded by Internal Accounts or Donations."

[Contact: Joseph Sanches, PX 47573].

CONSENT ITEM

Development

- This new Policy was requested and drafted by the Chief of Facilities Management, and the initial draft was approved by the Chief Operating Officer and the Superintendent.
- The purpose is to provide standards and criteria for approval of requests to alter or modify school facilities or grounds using funds from internal accounts or donations, and an orderly process of approval for modifications, alterations, enhancements, or removal of school facilities.
- The Construction Oversight Review Committee reviewed this proposed Policy at its meetings on December 2, 2004; January 13, 2005; and March 10, 2005. Suggestions from CORC have been incorporated into the Policy.
- This proposed Policy was reviewed by the School Facilities Committee, which includes twelve (12) principals representing elementary, middle and high schools, during their December 7, 2004 meeting. Comments from that meeting have been incorporated into the Policy.
- This Policy will apply to all School Board facilities, not only schools, when proposed modification projects are to be funded by internal funds and/or donations.

POLICY 7.26

**FACILITIES OR GROUNDS MODIFICATIONS
FUNDED BY INTERNAL ACCOUNTS OR DONATIONS**

1. **Scope and Definitions.**-- This Policy applies only to modifications, to School District facilities or grounds, funded by internal accounts and/or donations and does not apply to modifications funded by District capital or operating funds. The application of this Policy includes this District's educational plant and ancillary plant as defined Fla. Stat. § 1013.01 (1) & (7). When these terms are used in this Policy, "principal" refers to the head of an educational plant, and "department head" refers to the head of an ancillary plant. Adoption of this Policy is not intended to eliminate or alter any current requirement for School Board approval of construction contracts.
2. **Approval Required.**-- No buildings or other fixed property of the School Board may be materially altered or removed, and no additional structure may be erected on school property, without the written approval of the Superintendent/designee.
 - a. Approval is required for any facility modification, including changes to buildings or grounds such as, but not limited to: structural changes; moving or building walls; adding or replacing flooring or ceilings; building temporary or permanent structures whether or not they are affixed to the facility or ground; modifications that affect the air conditioning, ventilation, electrical or plumbing systems; attaching an apparatus to, or making significant holes in the walls, ceilings, floors, parking lots, walkways or other constructed surfaces; digging holes greater than six (6) inches deep on the grounds; adding significant dead or live loads to buildings; disturbing or altering environmentally sensitive areas; exterior painting or changing the use of a space on an extended basis (e.g. changing an office into a classroom).
 - b. Approval will be based on the following factors: safety; compliance with the building code under Policy 7.21 and the State Requirements for Educational Facilities (SREF), Vol. 1 and applicable Florida Building Code sections such as chapter 423; initial and recurring costs to the District School System; and the effect on the current and future functionality of the facility.
 - c. Schools may, with the approval of the Superintendent/designee, perform renovations and/ or remodeling or erect buildings or other structures on campus that they deem necessary for their programs utilizing non-District funds; however, all work shall be designed and completed in strict conformance with Florida Statutes and other applicable factors cited in subsection (2)(b) above. The school must have its plans approved by the District's Building Department prior to commencement of construction. The

45 District must approve, deny or provide comments on what changes are needed
46 for approval of the plans within twenty (20) business days of submittal by the
47 School. A building permit must be issued by the District prior to the
48 commencement of construction and construction inspections shall be
49 performed by the District. No facility constructed by the school may be
50 occupied until either a certificate of completion or an occupancy permit is
51 issued by the District.

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53 d. Exception for Interior Painting.-- Interior painting will not require prior written
54 approval of the Superintendent/designee under this Policy, provided the paint
55 does not contain lead or other harmful chemicals as determined by the
56 Superintendent/designee, but shall require the prior approval of the
57 principal/department head.

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59 **3. Approval Process**

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61 a. Principals'/Department Heads' Proposals.-- Requests for any change or
62 modification to a School Board facility (such as, but not limited to, capital
63 improvement projects, remodeling or renovation of facilities, or site
64 improvement) by the school principal/department head shall be submitted to
65 the appropriate Area Superintendent or designee and shall be coordinated
66 with, and have the approval of, the Director of Program Management and the
67 Superintendent/designee.

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69 b. Requests from Others than the Principal/Department Head.-- Any individual or
70 group desiring to modify a School Board facility (such as by adding,
71 remodeling, or renovating facilities or purchasing or installing equipment that
72 requires additional modified utility connections such as for water, sewer, or
73 electric) must submit a written proposal through the principal/department head
74 and appropriate area superintendent/designee to the Director of Program
75 Management, who shall coordinate the review and responses by other
76 departments as necessary; and approval of the Superintendent/designee shall
77 be required.

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79 c. Proposed Donations.-- Facility improvements that an individual, group or
80 organization desires to donate to a school/department may be accepted if the
81 proposed improvements will contribute to the operation of the
82 school/department program and considering any additional costs as set forth in
83 Section (4) below and any foreseeable liability to the School Board. All such
84 facility improvement requests must be submitted in writing through the
85 principal and appropriate Superintendent/designee to the Director of Program
86 Management prior to acceptance and/or installation. Donors shall be notified
87 that the title to the gift shall be in the name of The School Board of Palm
88 Beach County. Any persons volunteering to perform, or assist with, such

89 installations or modifications shall be properly qualified to perform the work
90 and shall sign a liability release form, obtained from the principal/department
91 head and approved by the Office of Chief Counsel to the School Board, prior to
92 such participation.

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94 d. Board Approval.-- It should be understood that proposed modifications
95 exceeding \$200,000 in construction value shall require Board approval unless
96 such approval is otherwise delegated by Board Policy or Resolution to the
97 Superintendent/designee.

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99 4. **Financing.--** All proposals under this Policy to obtain approval for modifications
100 shall include a description of the method of financing the changes. A written
101 estimate of the yearly fiscal impact of the enhancements, i.e. utility costs, special
102 maintenance or additional inspections shall also be submitted with the proposal. No
103 such project shall require any supplemental funding by the School Board for any
104 purpose, although the School Board has the discretion to contribute funds towards
105 the modifications, engineering, design or recurring expenses provided there is a
106 distinct benefit to the students and the contribution does not create inequities
107 between schools.

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109 5. **Property of the Board.--** Any improvement or addition under this Policy shall
110 become the property of the School Board, unless agreed otherwise in writing by the
111 Superintendent/designee as to a temporary improvement or addition.

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113 STATUTORY AUTHORITY: §§ 1001.41(2); 1001.42(22); 1001.43(4), Fla. Stat.

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115 LAWS IMPLEMENTED: §§ 1001.42(9); 1001.43(4), 1001.51(4), Fla. Stat.

116
117 HISTORY: / /2005

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.26 and finds it legally sufficient for development by the Board.

Attorney

Date