



## **POLICY 7.26**

- 5-C** I recommend the Board approve development of the proposed **revised** Policy 7.26, entitled “Facilities or Grounds Modifications funded by Internal Accounts or Donations.”

[Contact: Joseph Sanches, PX 47573.]

### **Development**

### **CONSENT ITEM**

- The proposed revisions to this Policy are being recommended to maintain consistency with other Board Policies and to address specific issues that staff believes are not currently or adequately addressed in Policy.
- In the last several years, the construction of structures for JROTC and other similar extracurricular programs have taken place without benefit of policy or protocols, raising risk management concerns and non-compliance issues for the Building Department. These revisions are intended to address these issues so that all District staff will be aware of the proper procedure for obtaining approval prior to beginning construction or installation.

**POLICY 7.26**

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

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4 1. **Scope and Definitions.**-- This Policy applies only to modifications, to School  
5 District facilities or grounds, funded by internal accounts and/or donations and does  
6 not apply to modifications funded by District capital or operating funds.  
7 Additionally, this Policy does not apply to the fence screens at schools which are  
8 governed by Policy 7.151, Business Partnership Recognition – Fence Screens.  
9 The application of this Policy includes this District's educational plant and ancillary  
10 plant as defined in Fla. Stat. § 1013.01 (1) & (7). When these terms are used in this  
11 Policy, "principal" refers to the head of an educational plant, and "department head"  
12 refers to the head of an ancillary plant. Adoption of this Policy is not intended to  
13 eliminate or alter any current requirement for School Board approval of  
14 construction contracts.
- 15 2. **Approval Required.**-- No buildings or other fixed property of the School Board  
16 may be materially altered or removed, and no additional structure may be erected  
17 on school property, without the prior written approval of the  
18 Superintendent/designee.
  - 19 a. Approval is required for any facility modification, including changes to buildings  
20 or grounds such as, but not limited to: structural changes; moving or building  
21 walls; adding or replacing flooring or ceilings; building temporary or permanent  
22 structures whether or not they are affixed to the facility or ground; construction  
23 of fitness trails and gardens; installation of fitness equipment or JROTC  
24 training structures; construction or installation of permanent signs;  
25 modifications that affect the air conditioning, ventilation, electrical or plumbing  
26 systems; attaching an apparatus to, or making significant holes in the walls,  
27 ceilings, floors, parking lots, walkways or other constructed surfaces; digging  
28 holes greater than six (6) inches deep on the grounds; adding significant dead  
29 or live loads to buildings; disturbing or altering environmentally sensitive areas;  
30 interior or exterior painting or changing the use of a space on an extended  
31 basis (e.g. changing an office into a classroom).
  - 32 b. Approval will be based on the following factors: risk management and safety  
33 review; compliance with the building code under Policy 7.21 and the State  
34 Requirements for Educational Facilities (SREF), Vol. 1 and applicable Florida  
35 Building Code sections such as chapter 423; initial and recurring costs to the  
36 District School System; and the effect on the current and future functionality of  
37 the facility.
  - 38 c. Schools may, with the approval of the Superintendent/designee, perform

39 renovations and/ or remodeling or erect buildings or other structures on  
40 campus that they deem necessary for their programs utilizing non-District  
41 funds; however, all work shall be designed and completed in strict  
42 conformance with Florida Statutes and other applicable factors cited in  
43 subsection (2)(b) above. The school School must have its plans approved by  
44 the District's Building Department prior to commencement of construction. The  
45 District must approve, deny or provide comments on what changes are  
46 needed for approval of the plans within ~~twenty (20)~~ thirty (30) business days  
47 after submittal by the School. A building permit, if applicable, or other approval  
48 must be issued by the District prior to the commencement of construction and  
49 construction inspections shall be performed by the District. No facility  
50 constructed by the school School may be occupied until either a certificate of  
51 completion or an occupancy permit is issued by the District.

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

### 57 3. Approval Process

- 58 a. Principals'/Department Heads' Proposals.-- Requests for any change or  
59 modification to a School Board facility (such as, but not limited to, capital  
60 improvement projects, remodeling or renovation of facilities, or site  
61 improvement) by the school School principal/department head shall be  
62 submitted to the appropriate Area Superintendent or designee and shall be  
63 coordinated with, and have the approval of, the Director of Program  
64 Management Facilities Services and the Superintendent/designee.
- 65 b. Requests from Others Besides the Principal/Department Head.-- Any  
66 individual or group desiring to modify a School Board facility (such as by  
67 adding, remodeling, or renovating facilities or purchasing or installing  
68 equipment that requires additional modified utility connections such as for  
69 water, sewer, or electric) must submit a written proposal through the  
70 principal/department head and appropriate area Area Superintendent  
71 superintendent/designee to the Director of Program Management Facility  
72 Services, who shall coordinate the review and responses by other  
73 departments as necessary, and shall ensure compliance with all applicable  
74 laws; and approval of the Superintendent/designee shall be required.
- 75 c. Proposed Donations.—Facility or ground improvements that an individual,  
76 group or organization desires to donate to a school/department may be  
77 accepted if the proposed improvements will contribute to the operation of the  
78 school/department program and considering any additional costs as set forth

79 in Section (4) below and any foreseeable liability to the School Board. All such  
80 facility or ground improvement requests must be submitted in writing through  
81 the principal and appropriate Area Superintendent/designee to the Director of  
82 Program Management Facility Services, who shall coordinate the review and  
83 responses by other departments as necessary, and shall ensure compliance  
84 with all applicable laws. Approval of the Superintendent/designee shall be  
85 required prior to acceptance and/or installation. Donors shall be notified that  
86 the title to the gift shall be in the name of The School Board of Palm Beach  
87 County, Florida. Any persons volunteering to perform, or assist with, such  
88 installations or modifications shall be properly qualified to perform the work  
89 and shall sign a liability release form, obtained from Risk and Benefits  
90 Management ~~the principal/department head~~ and approved by the Office of  
91 General Chief Counsel to the School Board, prior to such participation in  
92 addition to meeting the applicable requirements of Policy 5.23, Volunteers in  
93 Public Schools.

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.~~

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

107 5. **Property of the Board.**-- Any improvement or addition under this Policy shall  
108 become the property of the School Board, unless agreed otherwise in writing by the  
109 Superintendent/designee as to a temporary improvement or addition.  
110 Improvements and structures constructed or installed under this Policy may be  
111 removed, razed or closed down at any time in the future if they are determined by  
112 the School Board's Building Department or Risk and Benefits Management to be  
113 unsafe or to pose an unacceptable risk to the students, faculty, staff or school  
114 community.

115 6. Compliance. Award of contracts, or purchases made for the purpose of modifying  
116 a School Board facility that are funded by internal accounts and through donations  
117 of funds by an individual, group or organization must be in compliance with federal  
118 laws, Florida Statutes, the State Requirements for Educational Facilities, and all  
119 School Board Policies including, but not limited to School Board Policies 6.14, and

120        7.10.

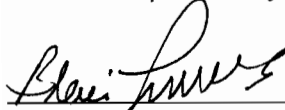
121        STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42(~~22~~ 15); 1001.43(4)

122        LAWS IMPLEMENTED: Fla. Stat. §§ 1001.42(~~9~~ 11); 1001.43(4), 1001.51(~~4~~10)

123        HISTORY: 7/13/2005; \_\_\_/\_\_\_2012

Legal Signoff:

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

  
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Attorney

6/5/12  
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Date