

## BUILDING AND NAMING FACILITIES

The School Board's goal is to provide facilities that will best support and accommodate the division's educational program, other school-related activities and the number of students enrolled. The School Board strives to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching.

For purposes of Board policies, a "facility" is defined as a building or place that provides a particular service or is used for a specific purpose. This includes, but is not limited to, schools, other School Board buildings, athletic fields, playgrounds and parking lots.

The Board's facilities development goals are to:

1. Construct buildings and renovations that will accommodate and facilitate those organizational and instructional patterns that support the division's educational philosophy and instructional goals.
2. Meet all safety requirements through the remodeling of older structures.
3. Provide the renovations needed to make public school facilities accessible to disabled persons in accordance with federal and state laws.
4. Approve design and construction that will lend itself to low maintenance costs and the conservation of buildings.
5. Consider the viewpoints of staff, students and the community when determining the educational specifications for new buildings and projects involving major additions or renovations.

Adopted: July 1, 1993

Amended: May 26, 2005; March 12, 2009; January 8, 2015; May 14, 2015

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79

Cross Refs.: FEA, Facility Design

## **BUILDING AND NAMING FACILITIES**

### **I. BUILDING NEW SCHOOLS AND NEW ADMINISTRATIVE BUILDINGS**

#### **A. Key Elements**

These procedures will be followed for all Capital Improvement Plan projects that involve the building of a new school, new administrative building, or major renovations to an existing school or administrative building. The School Board will identify the key elements that should exist in the facility, which include, but are not limited to, the following:

1. The level of instruction or type of program to be accommodated by the new facility;
2. The likely number of students/staff/community members to be served by the facility;
3. The budgetary limits established for the project;
4. The land that has been purchased for the facility and how it can best be used to support the facility; and
5. Pertinent local, state, or federal laws/regulations governing the building of such a facility.

#### **B. Design Committee**

The Superintendent/designee will be responsible for forming a committee to work with the architect in the design of the building. For new schools, the members of the committee will be representative of the community which will likely be served by the new school and will also include representatives of teachers, principals, and support services staff that can advise on the best instructional design for the building. The design committee, after it has established its priorities for building design, will submit these priorities to the Superintendent for review prior to beginning the actual schematic design phase. The Superintendent will establish with the Board its expectations for involvement in the approval of the design for the facility, i.e., whether more than one option for the design is to be brought for discussion prior to the committee's consideration of actual building designs.

#### **C. School Board Approval**

The School Board will approve the schematic design for the facility and the design development before approval to proceed to the construction document phase. The Board may hold a public hearing on the schematic design if the facility involves a regional interest such as a school located within a specific community area. The Board will also provide the Board of Supervisors information about the design for the facility.

### **II. NAMING SCHOOLS**

The School Board shall name all new schools using the procedures established by this section or, at its discretion, the procedures established in Section III, Naming Facilities Other Than Entire Schools.

The School Board shall solicit recommendations from the community for the naming of new schools. In reviewing recommendations, the following factors will be considered:

1. Geographic considerations;
2. Historical considerations; and
3. Name(s) of individuals who have made local, state, or national service contributions. If the name of a living individual is under consideration, it shall be with the consent of this individual.

The final selection of a name for the new school shall be the responsibility of the School Board.

### III. NAMING FACILITIES OTHER THAN ENTIRE SCHOOLS

#### A. General Provisions

This regulation provides the procedure for action on a nomination to name any facility other than an entire school, unless the School Board has approved the use of this procedure for the naming of a specific school. In addition, this regulation governs funded naming right proposals for the naming of intangible things, such as scholarships and endowments. This regulation does not apply to naming portions of facilities or fixtures within facilities, such as dedicated benches, lobby areas and trees, if their individual values do not exceed \$1,000. In such instances, principals should solicit appropriate input from their school communities and select names that are consistent with the division's vision, mission and goals.

The School Board retains the sole discretion and authority to name all Board-owned properties, facilities and portions of facilities, such as gymnasiums, playing fields, media centers and science labs. The School Board reserves the right to decline any recommendation, request or donation which does not contribute toward the division's values, goals and mission. In all cases, the School Board retains control and ownership over the areas of named facilities and any named programs, funds or services. Naming rights will not convey any input or control over division programs, activities, services, policies or employees. In all decisions regarding naming rights, the Superintendent and School Board will act in the best interest of the division, and in accordance with the division's policies, vision, mission and goals.

Appropriate names include, but are not limited to, names of individuals who have made exceptional contributions to the school or school division, and business or individual donors who have made substantial financial contributions in accordance with this regulation.

#### B. Procedure for Nominating, Considering and Approving All Proposals

The procedures in this section will be used for all naming rights proposals, whether they are honorary or funded.

##### 1. Nomination Procedure

Interested groups or individuals must submit a written nomination to the Superintendent. The nomination should identify the facility (or intangible thing) to be named and provide other relevant information, including any connection between the individual and the school.

Upon receipt of the nomination, the Superintendent will consult with the School Board Chair to determine whether the School Board should consider the nomination directly or after committee consideration. In addition, the Superintendent/designee will consult with the principal(s) of the school(s) where the proposed naming would occur.

Division employees with knowledge about the potential for a funded naming right proposal must notify the Superintendent's office. Any preliminary discussions occurring prior to an official nomination should be held with the Superintendent/designee and the principal of the school and be treated confidentially.

## 2. Committee Consideration

If the School Board Chair and Superintendent determine that a committee should be convened, the Superintendent/designee will create an ad hoc committee and appoint its members. The committee membership will include an administrator from the school, a representative of each school-affiliated organization affected by the naming, a representative from the community, as appropriate, and any other person recommended by the school administrator. The Superintendent/designee will charge the committee to review the naming proposal and recommend whether it should be accepted and, if so, the duration of the naming. The committee may also recommend alternative names or locations, or recommend against naming.

## 3. School Board Consideration

After receiving recommendations from the committee, if one has been convened, the Superintendent shall determine whether to recommend approval of the naming rights nomination to the School Board. The School Board will consider the Superintendent's recommendation in the form of a resolution at a regular Board business meeting that provides for public comment. The original nomination and any committee recommendations will be submitted. At the discretion of the School Board Chair and Superintendent, representatives of the nominating party and/or the committee may be permitted to make a presentation.

The School Board shall base its decision on whether the proposal serves the best interest of the division and is consistent with the division's policies, vision, mission and goals. For all funded naming right proposals involving capital improvement contributions, the Board shall also consider the criteria provided in Section D(1), on pages 5-6.

## 4. Gift Agreement

The Superintendent/designee shall ensure that a draft gift agreement has been developed in accordance with this regulation (see Section D(3)), prior to submitting any funded naming rights proposal to the School Board.

### C. Honorary Naming

Exceptional contributions to a school or to the division may be recognized by naming an appropriate school facility in honor of an individual not actively serving the Albemarle County Public Schools. The area named should be substantively related to the area in which the individual has contributed or be otherwise appropriate. If the name of a living individual is under consideration, it shall be with the consent of this individual. The School Board retains the authority to rename a facility, to transfer names to different facilities, and to discontinue naming.

### D. Funded Naming

The School Board accepts private contributions from individuals and businesses in order to support its goals and objectives. This regulation will be used whenever private donors seek naming right recognition for their contributions.

The Board authorizes two kinds of funded naming rights: (1) the naming of new or renovated facilities, called “capital improvement contributions”; and (2) the naming of existing facilities or intangible things, such as scholarships and programs, called “non-capital contributions.” Absent a vote by the Board that a facility will be named for a permanent duration, all funded naming rights will be for a limited duration as prescribed by the applicable gift agreement.

The Board has the final authority to accept or refuse any contribution, capital improvement project, or other proposal from private donors. The Board also retains the authority to rename a facility, to transfer names to different facilities, and to discontinue naming, subject to any specific provisions contained in an applicable gift agreement.

#### 1. Capital Improvement Contributions – For New Facilities & Renovations

The School Board may grant individuals and businesses naming rights for new facilities and major additions or renovations to existing facilities in recognition of substantial monetary donations.

The following shall be considered by the Superintendent/designee and the School Board when considering all capital improvements naming right proposals:

- a. Whether the improvement is consistent with the School Board's identified priorities for projects, including those identified for private fund-raising;
- b. Whether the improvement benefits the school and/or the division;
- c. A calculation of anticipated consequences of the improvement, including the future financial liability in annual operating costs;
- d. Whether the improvement would foster or exacerbate inequality among schools, including exploration of whether other schools would want a similar feature; the

desirability and comparison of "extras" among schools; and maintaining the attractiveness and appeal of all division schools; and

- e. Whether the contribution will fund the improvement fully and if so, whether permanent naming rights are to be offered in exchange for funding.

## 2. Non-Capital Contributions - For Existing Facilities & Intangible Things

The School Board may also grant individuals and businesses naming rights for substantial monetary donations made for purposes other than designated capital improvements. These purposes must be consistent with the Board's goals and objectives. Examples include, but are not limited to: general operations funding, scholarships, endowments, faculty positions, programs, services and equipment.

## 3. Gift Agreement Required for All Funded Naming Right Proposals

For all funded naming right contributions, the Superintendent will ensure that a gift agreement ("agreement") is signed by the donor and the Superintendent on behalf of the division. The agreement shall be based on the donor's proposal and include, at a minimum, the following elements:

- a. The facility or intangible thing to be named;
- b. The proposed name;
- c. The amount of funding provided and the schedule for payment, if donations will be made in more than one installment;
- d. The duration of the naming, which shall be for a limited period unless authorized to be permanent by a vote of the School Board;
- e. The conditions, if any, under which the naming may be discontinued, such as the closure of a facility or critical changes to the use of a facility;
- f. A statement that the School Board retains full control and maintenance of the facility, all programs which occur within the facility and, if applicable, the named intangible thing;
- g. A statement that all facility improvements (including in-kind contributions) financed with private contributions, become the property of Albemarle County Public Schools;
- h. A statement that any privileges to be granted to the donor concerning the facility or any division program are limited to those specifically listed in the agreement; and
- i. A statement that the School Board reserves the right to terminate or amend a gift

agreement under exigent circumstances, including donor wrong-doing or criminal conviction, changes to corporate existence in the regular course of business, or other circumstances caused by the donor which in the judgment of the School Board will harm the reputation or mission of Albemarle County Public Schools.

All gift agreements must be approved as to form by the School Board Attorney.

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