

Privately Funded Facility Improvements

The School Board adopts this policy to assist in determining which projects may be eligible for a district loan or advance for a privately funded facility improvement which, in the School Board's discretion, will provide a substantial public benefit.

The School District (District) recognizes that some district facility improvements are only possible with private fundraising. The District also recognizes that some facility improvements that will be privately funded face time and funding constraints that make it difficult for larger improvement projects to secure all private fundraising before commencement of a project.

Only projects with a total estimated cost of \$200,000 or more for secondary school projects and \$100,000 or more for elementary projects will be eligible for consideration of a district loan or advance. The following factors will be considered in evaluating any loan or advance request:

1. The degree to which the proposed improvement enhances current district programs.
2. The degree to which the proposed improvement can be utilized as a valuable community asset.
3. The degree to which the proposed improvement has substantial community support as evidenced by current donor fundraising that equals or exceeds 50% of the estimated project costs.
4. The degree to which the proposed improvement reduces, or does not increase, district operating or maintenance costs.
5. The degree to which the proposed improvement would result in program differences with other school(s) of the same level.

Depending on the degree of control necessary to ensure the successful and timely completion and integration of a project and its inherent risks, the School Board, in its sole discretion, may require the project to be under the District's control and supervision. For projects that do not require the District's full control and supervision, a loan may be authorized to a private, district-affiliated, non-profit 501© corporation that is duly registered in the State of Oregon and in good standing. Any advance or loan will be memorialized in an agreement acceptable to the Executive Director of Finance, with repayment terms of no more than three years. Loans or advances will be allowed only when a PTA/PTO or district-affiliated, non-profit is allowed to incur debt and guarantees repayment by dedicating future fundraising in amounts sufficient each year to meet its annual district debt obligation.

END OF POLICY

Legal Reference(s):

[ORS 195.110](#)
[ORS 197.295 - 197.314](#)
[ORS Chapter 255](#)

[ORS Chapter 294](#)
[ORS 328.205](#)
[ORS 328.542 - 328.565](#)

[ORS 332.155](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.