

WHITEWATER SCHOOL DISTRICT

**9000 SERIES
SCHOOL FACILITIES**

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Goals

The Board recognizes the importance the physical plant plays in enhancing the instructional program. The Board shall develop a program to maintain and/or upgrade the buildings and grounds of the District. Facilities represent a long-term investment of the District. The functional utility of such facilities can be increased with a regular maintenance program monitored by staff.

The Board further recognizes the importance of planning in order to provide the anticipated facility needs of the future. The District will review demographic factors as changes make such reviews necessary.

Policy History:

Adopted on: November 14, 2000

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Site Acquisition

The District will attempt to acquire building sites in advance of the actual construction of facilities in order to minimize delay in construction projects and to realize financial savings to the District. The Board will periodically review its inventory of land in light of growth trends in the District and make such transactions as it determines shall best meet the future needs of the District.

In acquiring a new site, the Board must first secure the approval of the qualified electors before any contract for the purchase of such site is entered into, except that trustees may take an option on a site prior to the site approval election. The Board may acquire property contiguous to a school site in use without such vote. Site approval also is not necessary if it was specifically mentioned in a fund-raising issue which was subsequently approved by the electorate.

Bonds

The Board may issue or redeem bonds in any manner as provided by law.

Legal Reference:	§ 20-9-400, MCA	School bonds
	§ 20-6-621, MCA	Selection of school sites, approval election
	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings - when election required

Policy History:

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Architect and Engineering Services

The Superintendent or designee shall invite architects and/or engineers to express interest in performing such necessary planning services for the District. Advertising shall be designed to reach a wide geographical area to help insure gender and minority applicant consideration.

Interested firms will be requested to submit a state of qualifications and performance data to enable the Board to determine which architectural or engineering firm will best serve the needs of the District. Criteria for selection of a firm shall include, but not be limited to, quality and breadth of staff, design of similar projects, production capability, supervision and quality control, relationship with clients, cost estimates and budget control.

The Superintendent is directed to establish necessary procedures to solicit and screen qualified engineers and architects. The Superintendent shall recommend one or more firms to the Board for its consideration. The Board and the successful architectural or engineering firm shall enter into a contract for the necessary services. In the event the Board and the selected firm are unable to negotiate a fair and reasonable fee, the trustees may select another firm provided reasonable public notice of the selection is given.

Legal Reference:	§ 20-6-631, MCA	When contracts for architectural services required
	§ 20-6-633, MCA	Negotiation of fees
	§ 18-2-113, MCA	Architects on public buildings to be certified
	§ 18-2-114, MCA	Seal and signature of architect on plans

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Educational Specifications

Facilities shall be designed to accommodate the educational and instructional needs of the District. The professional experience and judgment of staff shall be solicited in developing such educational specifications. The law requires that special attention be given to accessibility to the education program by students of both genders and those with disabilities. The Superintendent shall see that all construction projects comply with the requirements for accessibility for individuals with disabilities and comparability between the genders. The architect shall be responsible for ensuring compliance with state and federal laws, including access for individuals with disabilities and requirements for gender comparability.

When the Board considers major remodeling or building a facility, it shall endeavor to seek facility expertise in all affected program areas as well as comments from faculty, students, and community.

Legal Reference: 10.55.2001, ARM School facilities

Policy History:

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Contractor Assurance

No contract shall be let to any contractor who is not licensed or registered as required by the laws of this state. Nor shall a contractor be granted a contract unless a statement is submitted and sworn to which states that the contractor is in compliance with the state laws relating to prevailing wage and residence requirements for public works and with state and federal laws relating to non-discrimination in hiring. A statement to this effect must be a part of every appropriate contract.

No contract shall be let to any contractor if the provision conflicts with the provisions of § 20-9-204, MCA.

Legal Reference:	§ 2-2-303, MCA	Agreements to appoint relative to office
	§ 18-2-402, MCA	Standard prevailing rate of wages
	§ 18-2-430, MCA	Preference of Montana labor in public works - wages
	§ 18-2-404, MCA	Approval of contract - bond
	§ 20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids

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Contractor Surety Bonds and Insurance

Each contractor's bid must be accompanied by a bid bond or other security authorized by state law in the amount of at least ten percent (10%) of the total bid amount, excluding taxes. Any bid which is not successful shall entitle the bidder to a refund of its security or bond. The successful bidder shall have its bond or security retained until such a time as it is determined that the bidder shall complete the contract. All bids received shall specify whether the District or the contractor shall carry fire, liability, or other insurance during construction.

The successful bidder is required to make, execute and deliver to the Board a good and sufficient performance bond with two (2) or more sureties or a surety company which shall state that the contractor shall execute and faithfully perform the provisions of the contract and shall pay all subcontractors and materialmen as required by law.

Legal Reference:	§ 18-1-201, MCA	Requirements for bidder's security
	§ 18-1-202, MCA	Advertisement for bid to specify required security
	§ 18-1-203, MCA	Form of security

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Sale of Real Property

Unless the property can be disposed of without a vote, the Board has the power to dispose of all District property only when the qualified electors of the District approve of such action at an election called for such approval or when the trustees adopt a resolution stating their intention to dispose of the property. When the trustees adopt such a resolution, they shall schedule a meeting to consider a resolution to authorize the sale of the real property. The conduct of the meeting and any such subsequent appeals shall be in accord with § 20-6-604, MCA.

Receipts from the sale of real property shall be placed into the debt service fund, building fund, general fund or any combination of these three (3) funds at the discretion of the trustees.

Legal Reference:	§ 20-6-603, MCA	Trustees' authority to acquire or dispose of sites and buildings
	§ 20-6-604, MCA	Sale or property when resolution passed after hearing - appeal procedure

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Operation and Maintenance of District Facilities

The District seeks to maintain and operate facilities in a safe and healthful condition. The facilities manager, in cooperation with the building administrator and fire marshal, shall periodically inspect plant and facilities. S/he shall provide for a program to maintain the District physical plant by way of a continuous program of repair, maintenance and reconditioning. Budget recommendations shall be made each year to meet these needs and any such needs arising from an emergency.

The facilities manager shall formulate and implement energy conservation measures. Principals and staff are encouraged to exercise other cost-saving procedures in order to conserve the resources of the District in their buildings.

Legal Reference: 10.55.2001, ARM School facilities

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Safety Program

The Board acknowledges the importance of safety for students, staff and others having business with the District. Safety education, accident prevention and proper supervision are important as protective measures and also OSHA means to promote a culture of safety awareness.

The Board directs the formation of a District Safety Committee comprised of employer and employee representatives as outlined in the Montana Safety Culture Act.

The Board directs the development of an Exposure Control Plan for employees to eliminate or minimize work-related exposure to bloodborne pathogens, particularly Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV).

The District will participate in the prosecution of any individual(s) who may disturb any school or school meetings, insult or abuse any school employee or student during the course of the school/work day, or otherwise violate the laws of the State of Montana regarding school disturbance or individual protection for school employees or students.

It shall be the Superintendent's responsibility to execute this program. The Superintendent may delegate this responsibility to other staff members.

District-Wide Asbestos Program

It is the intent of the District that the Asbestos Hazard Emergency Response Act (AHERA) and all of its amendments, alterations and changes be complied with by all District employees, vendors and contractors.

Legal Reference: § 39-71-1501, et seq., MCA Montana Safety Culture Act
 § 20-1-206, et seq., MCA Disturbance of school
 29 CFR 1910.1030 The Bloodborne Pathogens Standard

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Security

Security means not only maintenance of buildings, but also protection from fire hazards and faulty equipment and safe practices in the use of electrical, plumbing, and heating equipment. The Board requires close cooperation with local police, fire, and sheriff departments and with insurance company inspectors.

Access to school buildings and grounds outside of regular school hours shall be limited to staff or persons approved by the school Superintendent whose work requires access. An adequate key control system shall be established which shall limit access to buildings to authorized staff and shall safeguard against the potential entry of unauthorized persons.

Records and funds shall be kept in a safe place and under lock and key when required.

Locks and other protective devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. Employment of watchmen may be approved in situations where special risks are involved. All incidents of vandalism and burglary shall be reported to the Superintendent immediately and to law enforcement agencies as appropriate.

Legal Reference: § 50-61-114, MCA Fire chief and county sheriff to make inspections

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Facilities Operations

The operation of the District's facilities shall be the responsibility of the Superintendent through the facilities manager.

An adequate staff of custodial personnel will be employed by the District to operate the District's facilities. This responsibility shall include, but not necessarily be limited to, the following:

1. Adequate and timely operation of each facility's heating system.
2. Proper care of the District's physical properties, including walls, floors, roofs, ceilings and equipment in those facilities.
3. Adequate care of and timely lamp replacement in each facility's lighting system.
4. Proper care of each facility's grounds and playgrounds.

Because of the nature of facility operations, this service shall be provided not only during the normal scheduled working day and working year, but shall also occur during those times when the building is occupied outside of regular hours.

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