

State of Maryland Interagency Commission on School Construction

Capital Improvement Program Instructions for Submission



IAC



Please note that requirements in these instructions are regularly updated for accuracy and based upon process changes and streamlining. All users of this document are strongly encouraged to access the most recent version on the IAC’s website for every use of the document to ensure that the most updated guidance is available.

Record of Changes

<u>Version</u>	<u>Description</u>	<u>IAC Approval Date</u>
1.0	Initial Adoption for the FY 2025 CIP	7/13/2023
1.1	Updates Submission Method from SharePoint to LEA Upload Form	N/A
1.2	Administrative updates to reflect BMS submission method and to make the instructions FY-agnostic.	7/11/2024
1.3	Clarify submission format requirements in Section 16.	N/A



Table of Contents

1. Glossary	1
2. Purpose	2
3. Eligible Projects	2
4. Ineligible Projects	3
5. Timeline	3
6. Design Requirements	4
7. Cooperative Use Space	5
8. Career and Technical Education (CTE)	6
9. Regional Special Education Programs	7
10. Pedestrian Safety Plans	7
11. Significant Enrollment Growth and Relocatable Classroom (EGRC) Funding	8
12. Planning Requests	8
13. Funding Requests	8
14. Application Submission	10
15. Communication Requirements	11
16. Submission Format Requirements	11
17. Project Evaluation	12
18. Amendments to CIP Requests	12
19. Project Approvals	13
20. CIP Publication and Project Execution	14
21. LEA Appeals of Staff Recommendations	14

Please note that requirements in the [IAC's Administrative Procedures Guide \(APG\)](#) may be prerequisites for funding through the IAC's various programs, including the Capital Improvement Program. Please see the APG for general requirements – including requirements for submission of an Educational Facilities Master Plan, design submissions, and updates to the IAC's Facility Inventory Database – for more information.

1. Glossary

Acronym or Term	Definition
Building Cost	The cost of constructing a building, not including site work
CIP	Capital Improvement Program
Construction cost	The cost of constructing a building, altering, repairing, improving, or demolition of an existing facility, including the cost of appropriate site work
DGS	Maryland Department of General Services
EGRC	Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms
Facilities Planning Guide	A document serving as an introductory resource for LEAs and other stakeholders involved in the planning and design of PreK-12 school facilities.
FF&E	Furniture, fixtures, and equipment
Forward-funded project	Project for which the LEA has paid all or some of the State share of a project that has been approved for planning or partial funding by the State
Gross Area Baseline	The product of the approved student enrollment and the baseline gross square footage per student. The baseline may be adjusted by the IAC on a case-by-case basis, based upon presented evidence of program need. The Gross Area Baselines are not a minimum or maximum State- space design standard. LEAs may build a school to a size larger or smaller than determined through the Baselines. However, careful consideration should be paid to the total cost of ownership of square footage decisions.
LEA	Local Education Agency
Locally-funded project	A school construction project that has not received State Local Planning (LP) or funding approval or that has not been designed, built, or occupied prior to the State approval of planning
Maximum State Allocation	Established dollar amount approved for State funding; the Maximum State Allocation is estimated until such time that the project receives its first year of construction funding
MDP	Maryland Department of Planning
MSDE	Maryland State Department of Education
Project cost	The cost of constructing the school facility, including all associated costs for design, survey, permits, furniture, fixtures, and equipment (FF&E), financing, etc.



2. Purpose

The Capital Improvement Program (CIP) is governed by [Title 5, Subtitle 3 of the Education Article](#), Annotated Code of Maryland and COMAR 14.39.02. CIP funding can be used for major new, renewal, and replacement projects as well as for facility addition projects or capital maintenance projects (systemic renovations). Please see the remainder of these instructions and applicable COMAR sections at the [Division of State Documents Website](#) for more information.

These instructions serve as the guide for submitting CIP applications and executing projects that receive CIP funding. Annually, the IAC will send out a CIP Notice which will include information pertinent to that year's CIP cycle, including the year's CIP schedule, anticipated Significant Enrollment Growth and Relocatable Classroom (EGRC) grants or other special funds, State Local Cost Shares applicable to the fiscal year cycle, and the IAC adopted cost per square foot for school construction. [Annual memos and these instructions will be available on the IAC's website.](#)

3. Eligible Projects

Projects eligible under the CIP include all facilities owned by local boards that are used primarily for educational purposes, including charter schools, facilities owned by a private entity under an alternative financing arrangement, and projects in the Baltimore City 21st Century Schools (formerly 10-Year) Plan, as established by 2013 Md. Laws, Ch. 647.

Eligible project classifications include:

- **Addition** - a project to add space to an existing school to provide additional student capacity, to enhance educational programs, or both. Eligible project costs may include limited funding for portions of the existing building that may be renovated in order to allow connection to the new additions. Projects that add space may be combined with renewal or limited renovation projects.
- **Capital Maintenance (systemic renovation)** - a project that includes the renovation, replacement, or enhancement of a specific building system or systems that will result in the extension of the useful life of the school facility for a minimum of fifteen years. Eligible project types include but are not limited to roofs, boilers, chillers, doors and windows, electrical and vertical conveyance systems.
- **Limited Renovation** - a project that upgrades an existing building or site, or a portion of a building or site, by upgrading or replacing a minimum of five major building systems and that may include educational or architectural enhancements. A limited renovation allows further participation by the State within 15 years after the project is placed in service for projects or systems that were not included in the scope of the Limited Renovation.
- **New** - a project to build a new school where additional capacity is needed.
- **Open Space Enclosures** - Open space classrooms are defined as rooms in instructional areas in which the classrooms are not enclosed by permanent construction and allow the transmission of sound between rooms, with or without temporary partitions. Open space enclosure projects add permanent floor to ceiling acoustical enclosures to eliminate open space classrooms.



- **Relocatable Classrooms** - a project to relocate State-owned relocatable classrooms from one site to another, either within a school district or between school districts, based on projected enrollments, educational programs, or the need for temporary classrooms during construction.
- **Renovation (Facility Renewal)** - a project that renovates all or parts of a school and results in a Facility Condition Index of 15% or lower, as verified by a licensed architect or design professional or the IAC's Statewide Facilities Assessment. A renewal project endeavors to achieve the current educational and building performance qualities of a new school. A renewal project precludes further participation by the State within 15 years after the project is placed in service.
- **Replacement** - a project to replace the majority of an existing school where an analysis, including Total Cost of Ownership (TCO), demonstrates that replacing rather than renovating the school is programmatically and financially favorable.
- **Science** - a project to renovate high school science classrooms and/or laboratories to support contemporary instruction.

Funding may be requested for the costs of design and early planning activities for each of the listed project classifications and for projects that do not yet have a specified scope. These activities include site selection, feasibility studies, educational specifications, community engagement, equipment specifications, and other planning work; and architectural and engineering services, construction management services, geotechnical surveys, and other services necessary to complete the architectural specifications for a school project.

4. Ineligible Projects

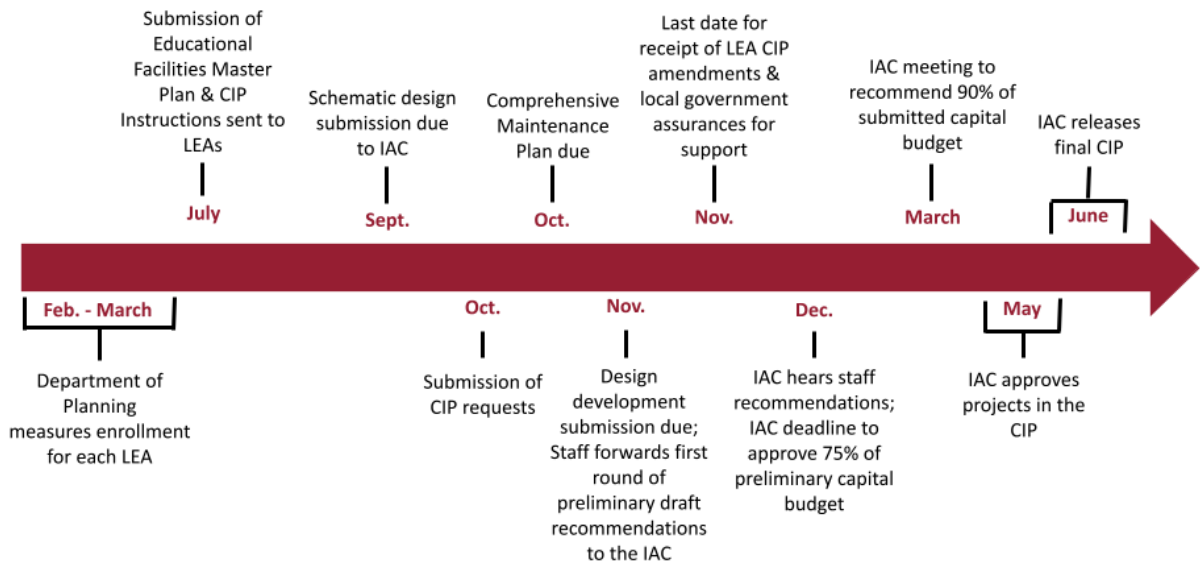
Projects that are NOT eligible include:

- Administrative and central office buildings or other buildings that are not primarily used for educational purposes;
- Projects through other State funded programs (with some exceptions for other programs administered by the IAC which may be combined up to the Maximum State Allocation);
- Projects for the routine or preventive maintenance of a school facility;
- Projects at an existing facility, or portion of a facility, that has been occupied or in use less than 15 years as of January 1 following the submission of the request, except in certain scopes in schools approved for Limited Renovation projects; or
- Projects with a total project cost below \$100,000.

In compliance with the Built to Learn Act of 2020, the IAC has adopted regulatory changes that include eligibility of design, consulting, and planning expenses. The proposed changes were approved and adopted on June 8, 2021.

5. Timeline

See the appropriate [fiscal year notice](#) for important CIP cycle dates.



6. Design Requirements

See the IAC's APG for specific phase requirements for each of the following:

- Educational Specifications (Ed Specs) - Ed Specs are required for each new, replacement, renovation, and addition project but are not required for limited-renovation or Pre-K or K addition projects.
- Floor Plans - Required for Pre-K addition requests.
- Feasibility Studies - For projects proposing abandonment of the existing building or demolition of more than 50% of the building gross square footage, a feasibility study (including 40-year life cycle cost analysis of alternatives) must be submitted, reviewed, and have all issues resolved, or a waiver must have been requested and approved.
- High Performance Requirements - In accordance with State Finance and Procurement Article §4-809 and Education Article §5-312, new school projects and renovation/addition projects that receive State funds are subject to the requirements of the High Performance Buildings Act. Please see the [adopted 21st Century School Facilities Act, Guidance for New Public School Buildings to Achieve High-Performance Buildings](#) for requirements.
- Emergency Management Shelters - For any project involving a replacement or upgrade of the electrical system, emergency management shelter compliance requirements must be met. LEAs are responsible for determining whether or not a school facility will be used as an emergency management shelter, based upon consistency with their local emergency management plan and funding considerations.
 - If the LEA has determined that the project facility will be an emergency management shelter, the LEA must initiate the **Emergency Management Shelter Review** process in the IAC's Business Management System.
 - If the school is not designated as an emergency management shelter, the LEA should initiate the **Emergency Management Shelter Review** process in the BMS, and should



supply a letter documenting that the determination is consistent with the local emergency management plan.

- Sufficient Design Progress
 - It is imperative that projects allocated funding in a given fiscal year are able to use that funding within the fiscal year for which it is allocated. Maryland faces ever-growing school construction needs so dollars must be put to work as quickly as possible to avoid devaluation due to construction inflation and to improve conditions for as many students as possible. **The IAC will consider design progress and draw schedules as a driving factor in all State funding allocations.**
 - For requests for first-time construction funding for major projects or limited renovation projects, in order for the project to be recommended by IAC staff for construction funding in December:
 - Educational Specifications (Ed Specs) must, if required, have been submitted to the IAC a minimum of 30 days prior to the submission of Schematic Design documents;
 - Completed Schematic Design documents must have been submitted on or before September 1 of the application year; and
 - Completed Design Development documents must have been submitted on or before November 1 of the application year.
 - Additional recommendations may be made for approval of projects that demonstrate sufficient design progress prior to the May CIP approval.

7. Cooperative Use Space

The IAC will consider for State funding participation up to 3,000 gross square feet of co-located or shared space within a school that supports LEA or community initiatives, such as health and wellness clinics, recreation centers, or community meeting rooms, to serve school children and the general community.

Cooperative Use Space Checklist

- ☐ Letter of commitment from the Board of Education regarding board-sponsored community activities, or a letter of commitment from a nonprofit organization or another government agency to the BOE agreeing to establish or continue the program for which the additional square footage is requested.
- ☐ Letter must indicate the intention of the BOE and other entities, as applicable, to establish a written agreement in the form of a Memorandum of Understanding, contract, or similar instrument that defines mutual responsibilities and the terms of the arrangement.
- ☐ On [Form 102](#), provide a complete and accurate description of the programs that will occupy the CUS in the "Project Description" field.
- ☐ For projects that involve both new and existing square footage, indicate whether the CUS is in the new or the existing square footage (or both). Indicate the age of all existing square footage that will be impacted.
- ☐ A copy of the support letter, even if it has been previously submitted.
- ☐ The programmatic names and size areas of the CUS should be included in each design phase submission of the project and on [Form 102](#).
- ☐ If the request for CUS is for a forward funded project that is in construction, a signed MOU.
- ☐ Documentation demonstrating that the use of the space cannot be accommodated within the existing school spaces by frequency and/or hours of use.

8. Career and Technical Education (CTE)

Projects involving CTE programs of study in comprehensive high schools or separate CTE centers must have a letter of support from the Senior Executive Director of MSDE's Office of College and Career Pathways (OCCP) before the project can be considered eligible for local planning or construction funding approval from the IAC. Funding for early planning and design may be considered prior to meeting this requirement. Please provide a copy of OCCP's approval letter and the completed Facilities CTE Utilization Form with your CIP request.

For information on obtaining the approval letter, please review MSDE's *Facilities Guide for Career and Technical Education Program Support for New, Replacement, Renovated, or Expanded Facilities*, dated July 2023. To obtain the CTE Facility Guide and Utilization Form, contact Briana Caalim, MSDE OCCP Executive Assistant via email at briana.caalim1@maryland.gov.

9. Regional Special Education Programs

Projects involving special education regional programs must have a letter of support from the Assistant State Superintendent of MSDE's Division of Early Intervention/Special Education Services (DEI/SES):

- Approval prior to local planning award may be considered if the project involves a separate special education day school or co-located special education school; or
- Approval prior to construction award may be considered if the project is a school with regional special education programs that are new or have been changed in size or program delivery.

Regional special education programs that are existing with no change in size or program delivery but have been moved from another school will need to be reviewed to determine if a DEI/SES approval letter is required.

Please provide a copy of the approval letter with your CIP request if required. For information on obtaining the approval letter, please review MSDE's *Guide for Obtaining Special Education Program Support for New, Replacement, Renovated, or Expanded Facilities, 2023*. To obtain a Special Education Program Support guide, contact Paige Bradford, MSDE DEI/SES Section Chief, Specialized Instruction at paige.bradford@maryland.gov.

10. Pedestrian Safety Plans

The Safe Walk to Schools Act (2022 Md. Laws, Ch. 553) requires that LEA applications to the IAC for approval of projects that increase the capacity of a school by more than 100 students include a Pedestrian Safety Plan that:

- Is developed in collaboration with the County Department of Transportation or equivalent agency of the local jurisdiction and the State Highway Administration;
- Is limited to the area surrounding the school for which the County Board will not provide transportation to students;
- Identifies existing and potential safe routes for students to walk or bike to the school;
- Evaluates the infrastructure, including sidewalk infrastructure, along existing and potential pedestrian or cyclist routes to the school to determine whether increased capacity is necessary;
- Analyzes existing and potential school zones, including the need for expanding school zones on State and county roads; and
- Includes documentation of public participation and input related to the pedestrian safety plan, including minutes from a public hearing and written comments.

Pedestrian Safety Plans must be submitted with an LEA's CIP request before approval of construction funding will be considered. Local planning approval and early planning and design funding approval may be granted before this requirement is met. By law, the IAC shall evaluate each submitted plan and approve it if it complies with the requirements of the Act but will not advise LEAs on the contents of a pedestrian safety plan.

11. Significant Enrollment Growth and Relocatable Classroom (EGRC) Funding

- LEAs are eligible for EGRC funding if their enrollment growth is significant (150% of the statewide average growth over five years) or if they utilize a significant number of relocatable classrooms (averaging 250 or more over five years).
- EGRC funding is allocated per a statutory formula. LEAs eligible for EGRC funding will be notified in each year's Annual CIP Application Notice.

12. Planning Requests

- Requests for local planning approval must be submitted for all projects except capital maintenance projects, high school science projects, open space enclosures, and small additions. Requests for planning and funding may be submitted in the same year.
- Planning requests typically will not be evaluated or recommended for approval prior to the 100% IAC approval in May.
- State funding commitments to, and progress of, the LEA's backlog of previously approved projects will be considered when evaluating additional requests for planning approval.

13. Funding Requests

- **Funding for early planning and design only:** Funds may be requested for early planning and design prior to meeting the necessary project progress requirements that are otherwise required for local planning or construction funding approval.
- **Forward-Funded Projects:** For forward-funded projects, the factors (enrollment, square feet per student, cost per square foot) that were in effect on the date of the bid opening should be used. **This may require pre-populated factors in the computation supplement to be customized.** LEAs should contact IAC staff with any questions about specific factors and provide all required contract award information, including MBE participation documentation.

Forward-Funded Projects

Note: Please be aware that reimbursements made with State tax-exempt bond proceeds may have certain procedural and tax implications that the LEAs and local governments must consider and be aware of:

- The State may only use tax-exempt bond proceeds to reimburse forward funded expenses, whether locally funded through Pay-go revenues, tax-exempt bond proceeds, taxable bond proceeds, or bond anticipation notes (BANS), if the reimbursement occurs within 18 months of the project being placed in service or final payment to the contractor (provided that final payment is not artificially delayed). If a project is placed in service or final payment to the contractor is made after March 1 and the request for reimbursement is submitted in the following autumn in the CIP submission, bond proceeds issued in the next summer (normally July) for an approved project may be used for reimbursement.
- Local governments may be subject to federal tax consequences when State tax-exempt bond proceeds are used to reimburse expenses that are forward funded using local tax-exempt bond proceeds. The obligation to fully understand these federal tax consequences falls on the local fiscal authority and the LEA.
- The State will assume that the LEA and local fiscal authority have fully investigated and understand the possible federal tax consequences of requesting reimbursement of forward funded State tax-exempt bond proceeds. The State will not assume any responsibility for adverse federal tax consequences that may follow on the disbursement of State tax-exempt bond proceeds in reimbursement for local forward funded expenses.
- The State will reimburse forward funded expenses to the extent that State funds are available.

The IAC strongly recommends that each LEA consult with bond counsel to thoroughly investigate possible federal tax consequences to the County with respect to debt issued by the County for projects funded through the IAC's funding programs. The State of Maryland will not be held liable for any adverse federal tax consequences that may follow to the County with respect to County tax-exempt bonds on the disbursement of State tax-exempt bond proceeds in reimbursement for local forward funded expenses.

See the IAC's APG for specific phase requirements for each of the following:

- Funding Factors
 - Gross Area Baselines
 - Eligible Enrollment
 - Cost per Square Foot
- Funding Methodology
 - Renovation
 - Renovation projects are prorated based upon the age of the facility or portion of the facility to be renovated as shown on the IAC worksheets.

Facility Age	% of State Construction Cost
40 Years & older	100%
31 to 39 years	85%
26 to 30 years	75%

Facility Age	% of State Construction Cost
21 to 25 years	65%
16 to 20 years	50%
0 to 15 years	0%

14. Application Submission

- Projects requested in the CIP shall be consistent with the priority and needs described in the Educational Facilities Master Plan.
- Summer Site Visits
 - Starting with the FY 2026 CIP, IAC staff will only request site visits for renovation and replacement projects expected to be submitted for the first time. LEAs may request IAC staff site visits for other projects as needed. Outside of the CIP cycle, IAC staff will generally request site visits for major capital projects when in the Feasibility Study phase.
- Initial Submission
 - Upload all files required in the Submission Checklist below to the [Business Management System \(BMS\)](#).
 - Written local board of education support for the CIP request must be included.
- Submission Revisions
 - To be taken into consideration as part of the staff recommendations for the December approvals, LEAs should provide revisions to their CIP requests on or about November 30 via the Business Management System.
- LEA Appeals of Staff Recommendations
 - LEAs should provide appeals to the staff recommendations one week in advance of the December IAC meeting.

IAC Submission Checklist

- ☐ For all projects, verify that the State Rated Capacity, square footage, and prior project information in the IAC's Facility Inventory is complete and accurate.
- ☐ For major construction projects, verify that the adjacent schools in the IAC's Facility Inventory are accurate; and use the list of adjacent schools in the IAC's Facility Inventory to complete Form 102. If the list of adjacent schools is not accurate:
 - ☐ Provide justification for exclusions and/or additions to the list in Form 102 and
 - ☐ Identify exclusions and/or additions to the list in Form 102.
- ☐ For major construction projects, verify that the eligible enrollment calculated in Form 102 is used to calculate the gross area baseline (GAB) in Form 102 - Computational Supplement.
- ☐ Upload the PDF of CIP Front Section.

- ☐ Upload Excel versions of CIP Forms 102-102.7.
- ☐ Upload letters of local financial support.
- ☐ Include a proposed floor plan of the school.
- ☐ For projects including CTE spaces, upload a letter of support from the MSDE Senior Executive Director of MSDE's Office of College and Career Pathways.
- ☐ For projects including regional special education program spaces, upload a letter of support from the MSDE Assistant State Superintendent for the Division of Early Intervention/Special Education Services.
- ☐ For any project that will increase the capacity of a school by more than 100 students, upload a Pedestrian Safety Plan in accordance with the Safe Walk to Schools Act of 2022 and Section 10 of these instructions.
- ☐ Upload a draw schedule including all project expenditures shown separately for each funding source.
- ☐ For capital maintenance (systemic renovation) projects:
 - ☐ Verify that the project information corresponds to information provided in the Comprehensive Maintenance Plan submitted in October of the application year;
 - ☐ Identify ineligible work proposed;
 - ☐ Provide the age of building systems or the age and number of units;
 - ☐ Identify specific areas of the building where work will not be done or will be locally funded;
 - ☐ For roof replacement projects:
 - ☐ Submit the three most recent annual roof inspection reports;
 - ☐ Address how the ¼ inch per square foot slope requirement will be met; and
 - ☐ Provide roof plans of the entire school which indicate the existing type and slope of each section.

15. Communication Requirements

- All electronic communications and documents must be submitted via the BMS. Emails or other methods of communication will not be accepted.
- Some documents are required to be submitted in PDF format. If you require technical support to create your PDF document, please contact our office for assistance.
 - PDF documents should provide a table of contents and bookmarks.
 - Number all pages in the document. Page numbers should be consecutive.

16. Submission Format Requirements

- As of the FY 2026 CIP cycle, all submissions shall be made via the IAC's Business Management System (BMS). The CIP Front Section and Letters of Local Government Support must be submitted on the LEA's Global Project via the **CIP Front Section Upload** Process. A separate submission must be made for the funding request for each project via the **CIP Funding Application** Process.
- [Required forms should be downloaded from the IAC's Website.](#)
 - **As forms may change periodically, LEAs should always download the latest version of the form from the IAC's website. Applications submitted on out-of-date forms may not be accepted.**
- The front section of the CIP, which includes the Table of Contents, letters from the Board of Education, summary of current request, etc., should be uploaded as a PDF to the **CIP Front**

Section Upload Process on the LEA's Global Project. The LEA-wide Forms 102.3-102.6 in excel format should also be uploaded to the **CIP Front Section Upload** Process.

- Project-specific 102 Forms (102(a), 102(b), 102(c), or 102(d)) should be submitted individually in excel format on the appropriate BMS project via the **CIP Funding Application** Process.
- Each project submission in the BMS will require that a priority number be indicated. Generally, the IAC will follow the local priority order to the extent that projects are eligible and funds are available. Requests for prekindergarten classrooms may take priority over other requests outside of the LEA's requested priority order. Prioritization of prekindergarten classrooms will occur within each LEA's target allocations, and the IAC will prioritize prekindergarten requests for local planning and for early planning and design or construction funding.¹
- If more than one project is submitted for the same facility, cross reference the projects by priority number and project type (e.g. "See Priority #X - Roof Replacement"), clearly indicate why they are submitted as separate projects rather than as a single project, and explain whether or not there is a preference for the projects to be funded together and whether they will be awarded under a single or multiple contracts.
- Letters of local financial support must be uploaded to the LEA's Global Project by the date on the IAC's annual CIP Notice, [which can be found on the IAC's website](#). The letter should be provided as a separate document, not as an attachment within the CIP submission.

17. Project Evaluation

- To ensure data used in the evaluation of funding requests is completely finalized, the following data will be utilized:
 - Enrollment: Data from the Maryland State Department of Education's State Aid to Local Education Agencies from the calendar year preceding the calendar year in which applications are due (i.e., for the FY 2025 CIP, applications were due in October 2023 so enrollment figures from the MSDE State Aid Data as of September 30, 2022 were utilized).
 - Concentration of Poverty (CPG): Same method as enrollment data.
 - Maintenance Effectiveness Assessment (MEA): Data finalized by the end of the fiscal year preceding the October in which applications are due (i.e., for the FY 2025 CIP, applications were due in October 2023 so MEA data finalized as of June 30, 2023 were utilized).
 - Statewide Facilities Assessment: Same method as MEA data.²
- Funding for the current Fiscal Year CIP cycle that is recommended at the 75% stage in December is an estimate which will not be finalized until the 100% approval in May when the Capital Budget has been finalized. If prior year reserved funds are recommended at the 75% stage in December, the awarded project can proceed; these funds are part of a previously approved budget.
- For forward funded projects, the data used will be based upon the bid date of the projects rather than the fiscal year of the request.

¹ In accordance with Education Article §7-1A-07, Annotated Code of Maryland

²For the FY 2025 CIP, the revised Refresh Cycle 1 data will be utilized.

18. Amendments to CIP Requests

- Amendments to an LEA's pending request for the current CIP application year must be submitted by the date identified on the CIP schedule.
 - Submit amendments only for those projects for which information has changed. Reupload the entire 102 form to the BMS process, but do not resubmit supporting documentation unless it has changed.
 - Provide verification that the Board of Education supports the revised priorities. The letter of support and other documents must be uploaded separately to ensure that local board support is properly documented and must be received by the amendment submission date identified on the CIP schedule.
 - For demonstration of Board of Education support, a cover letter signed by the Superintendent certifying that the local board approval has taken place is sufficient along with the date of approval.
 - The letter of support from the local government must address all amended and unchanged project requests.
- Amendments to a prior year CIP
 - Amendments to a CIP already approved by the IAC may be requested at any time (including immediately following the closure of a CIP cycle year).
 - The LEA should prepare the appropriate forms 102 and 102.4 and submit them along with appropriate justification and back-up information to the LEA's Global Project.
 - Forms shall be clearly marked "**amendment**," dated, and must be approved in writing by the Board of Education and the local government executive (County Executive or County Administrator).
 - Forms and supporting documents should be submitted to iac.pscp@maryland.gov.
 - After review, the LEA will be informed of IAC staff recommendations and IAC action. Opportunities for the LEA to appeal before the IAC are the same as for the normal CIP approval process.

19. Project Approvals

- The IAC will approve the Capital Improvement Program in stages as shown in the CIP Application Schedule.
 - Approval of 75% of the preliminary school construction allocation for the following fiscal year by December 31.
 - Recommendations of 90% of the submitted public school capital budget by March 1.
 - Approval of 100% of the approved allocation after May 1.
- Each project submitted in the CIP will be assigned a project review status. Statuses will continue to be revised throughout the CIP process until final approvals are made after May 1.

Project Review Status Definitions

A - Recommended for Approval: All IAC and LEA staff questions, problems, or comments have been resolved and the project is eligible and recommended for IAC approval of the requested type (design/planning funding, local planning, or construction funding).

B - Deferred but eligible: All IAC and LEA staff questions, problems, or comments have been resolved and the project is eligible for planning or funding, but it has been deferred due to State fiscal constraints in the current fiscal year or related to funding commitments for future years. **The project is not approved by the IAC.**

C - Deferred and not currently eligible for a planning or funding approval due to unresolved issues:

Outstanding issues may be of a technical or other nature and may include but are not necessarily limited to: lack of an acceptable feasibility study, capacity/enrollment, scope, or project schedule; the LEA's ability to carry out a large number of projects; lack of maintenance for the requested component or system; concerns regarding estimated cost or calculation of State or local funds; lack of commitment of local funds; submission or clarification of Minority Business Enterprise (MBE) documentation or process; review of alternative solutions available; lack of site approval; pending waiver regarding location outside of a Priority Funding Area; lack of supporting documentation; master plan inconsistency; and pending approvals by other agencies. These issues may be resolved at any time prior to final approval of the CIP by the IAC.

D - Denied and not eligible for planning or funding approval: Due to the nature of the project, it is ineligible for State participation. Reasons for ineligibility include but are not limited to: the project scope does not fit within an approved category of State-eligible CIP projects; local fiscal support was not provided or was withdrawn after the date established by the IAC; the project does not meet minimum State requirements for cost or scope; the facility is too new or was too recently renovated; the project was funded through another program or the funds are not required; MBE procedures were not followed in the procurement of the project; the LEA proceeded to construction prior to State approval (certain capital maintenance (systemic) projects); enrollment projections do not justify the project; the future of the facility is uncertain; or the facility has not been adequately maintained.

U - Deferred and currently has outstanding IAC staff issues that will need to be resolved by a date determined by the IAC Designees: Funding is shown within the **Total Projected Allocation** column for projects with this status and is contingent upon resolution of pending issues.

20. CIP Publication and Project Execution

- Final details of IAC Approvals are available in the [IAC's CIP](#) publication, which is posted to the website each December and June, after the 75% and 100% funding approvals, respectively.
- For information regarding project execution, including IAC contract approval, payment and reimbursement requests, and closeout procedures, see the [IAC's Administrative Procedures Guide](#).

21. LEA Appeals of Staff Recommendations

If the IAC staff does not recommend approval of an LEA's specific request for planning or funding of a project, the LEA may submit to the Executive Director a written request for a hearing to take place at the first meeting of the IAC to take place between 30 to 45 days after receipt of the request by the



Executive Director. The request shall explain all of the LEA's reasons for disagreeing with the IAC staff's recommendation. The LEA shall provide to IAC staff any supporting documentation that may be requested.

For questions or concerns, contact the IAC at:

iac.pscp@maryland.gov

(410) 767-0617

www.mdschoolconstruction.org