

Title 14

INDEPENDENT AGENCIES

Subtitle 39 INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION

Notice of Proposed Action

[24-233-P]

The Interagency Commission on School Construction proposes to:

- (1) Amend Regulation **.01** under **COMAR 14.39.01 Terminology**; and
- (2) Amend Regulations **.04, .05, .07, .08, .09, .12— .18, .20, and .32**, and adopt new Regulation **.33** under **COMAR 14.39.02 Administration of the Public School Construction Program**.

This action was considered by the Interagency Commission on School Construction at open meetings held on December 19, 2024, and February 13, 2025, notice of both of which was given by publication on the General Assembly website pursuant to General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend the Interagency Commission on School Construction's regulations to add several definitions which are regularly used by IAC staff and LEAs, but do not have definitions codified in regulation. These definitions include “Alternative Education”, “Cooperative Use Space”, “Furniture, Fixtures, and Equipment (FF&E)”, and “Renewal”, to clarify the use of “renovation” in the place of how the term “limited renovation” was previously used, to adjust language to reflect previously mentioned term changes, including adjusting the use of “limited renovation” to “renovation” and the use of “renovation” to “renewal”, and changing use of the phrase “early planning and design” to “project development and design”, add information on when feasibility studies are required, when LEAs can obtain construction funding for leased facilities, information on IAC practices for obtaining Schematic Design, Construction Documents, and Design Documents, and when Pedestrian Safety Plans are required, and to allow for additional funding for projects eligible for the Net-Zero State Cost-Share Add-on in certain circumstances.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Victoria Howard, Policy Analyst, Interagency Commission on School Construction, 351 W. Camden St., Suite 701 Baltimore MD 21201, or call 410-767-0600, or email to victoria.howard@maryland.gov. Comments will be accepted through May 19, 2025. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Interagency Commission on School Construction during a public meeting to be held on June 12, 2025 at 9am, at https://iac.mdschoolconstruction.org/?page_id=315.

14.39.01 Terminology

Authority: Education Article, §§4-126, 5-112, and 5-301—5-321, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) “*Alternative education*” means a public elementary or secondary school or program that addresses the needs of students that typically cannot be met in a regular school program and is designed to meet the needs of students with academic difficulties and/or discipline problems, and temporarily provide students with specialized instructional and/or behavioral supports for a specified time period before returning to their home school.

[(1)](2)—[(2)](3) (text unchanged)

(4) “*Capital maintenance*” means projects that involve the major repair, alteration, and replacement of building systems, equipment, finishes, and components, including their removal and disposal, and are sometimes referred to as “*systemic renovation*” projects.

[(3)](5)—[(8)](10) (text unchanged)

(11) “*Cooperative-use space*” means areas in a school that serve as shared or co-located spaces in which both the LEA and non-LEA organizations deliver programs and/or services.

[(9)](12)—[(16)](19) (text unchanged)

(20) “*Furniture, Fixtures, and Equipment (FF&E)*” means a category of items such as chairs, desks, movable equipment, and fixed components that are required for the delivery of education within a school facility and are normally not included in the construction contract.

[(17)](21)—[(24)](28) (text unchanged)

(25) “*Limited renovation*” means to upgrade an existing building and site, or a portion of a building and site, by upgrading or replacing a minimum of five major building systems and may include educational or architectural enhancements.]

[(26)](29)—[(36)](39) (text unchanged)

(40) “Renewal” means a capital improvement project for an existing school that, on completion, results in a like-new operational condition for the school as defined by the Commission.

[(37)] (41) “Renovation” means a [major] construction project to upgrade an existing building and site, or a portion of a building and site, to [achieve the current educational, building performance, and aesthetic qualities of a new school] *improve a school facility’s educational, building performance, and/or aesthetic qualities but which does not achieve a renewal or like-new condition.*

[(38)] (42)—[(47)] (51) (text unchanged)

14.39.02 Administration of the Public School Construction Program

Authority: Education Article, §§2-303, 4-126, 5-112, and 5-303; State Finance and Procurement Article, §5-7B-07, Annotated Code of Maryland

.04 Capital Improvement Program.

A. Local Submissions.

(1) Annually by the date the IAC specifies, each LEA with approval from its local board shall submit to the IAC a local capital improvement program for the next fiscal year that identifies and prioritizes:

(a) New construction projects, including replacement schools and additions, [and] *renewal projects*, renovation projects, [including limited renovation projects] *and capital maintenance projects*, that are proposed for local planning approval;

(b) New construction projects, including replacement schools and additions, *renewal projects*, and renovation projects, [including limited renovation projects] that are proposed for [planning] *project development* and design funding;

(c) New construction projects, including replacement schools and additions, *renewal projects*, renovation projects, [including limited renovation projects, systemic renovation] *capital maintenance* projects, and relocatable facilities that are proposed for funding approval; and

(d) New construction projects, including replacement schools and additions, *renewal projects*, and renovation projects, [including limited renovation projects], that the LEA has locally funded and for which the LEA seeks planning approval and funding approval.

(2) (text unchanged)

B. IAC Review

(1) [Planning] *Project Development* and Design Funding Approval. The IAC or its designee shall evaluate the merits of [planning] *project development* and design funding [approval] requests contained in the local capital improvement programs using the following factors as applicable and rank the requests on a Statewide basis using the *following* factors: [in §B(1)(a)(e) of this regulation:]

(a)—(f) (text unchanged)

(g) Documentation for [limited] renovation projects for which the State has provided funding for projects within the past 15 years;

(h)—(n) (text unchanged)

(2)—(4) (text unchanged)

C. Priority Funding Area Review

(1)—(2) (text unchanged)

(3) The following school construction projects are not subject to the requirement of §C(1) of this regulation:

(a)—(c) (text unchanged)

(d) A *renewal*, renovation, [limited renovation,] addition, or [systemic] *capital maintenance* renovation project.

D. Preliminary State Capital Improvement Program.

(1) By December 31 annually, the IAC shall approve a preliminary State capital improvement program for the following fiscal year that:

(a) Identifies new construction projects, including replacement schools and additions, [renovation] *renewal* projects, [including limited] renovation projects, [systemic] *capital maintenance* renovation projects, and relocatable facilities recommended for local planning approval, [planning] *project development* and design funding approval, or funding approval;

(b)—(c) (text unchanged)

(2) A [systemic renovation] *capital maintenance* project solicited before IAC approval is eligible for State funding if it has design development and construction document approvals by the IAC and was deemed eligible but deferred due to fiscal constraints in a prior year CIP.

E. Interim State Capital Improvement Program.

(1) Before March 1 of each year, the IAC shall submit to the presiding officers and the budget committees of the General Assembly and the Department of Legislative Services an interim State capital improvement program that totals 90 percent of the anticipated final capital budget by proposing:

(a) (text unchanged)

(b) *Renewal projects*;

[(b)] (c) Renovation [projects, including limited renovation] projects;

[(c)] (d) [Systemic renovation] *Capital maintenance* projects;

[(d)] (e)—[(e)](f) (text unchanged)

(2) (text unchanged)

(3) A [systemic renovation] *capital maintenance* project solicited before IAC approval is eligible for State funding if it has design development and construction document approvals by the IAC and was deemed eligible but deferred due to fiscal constraints in a prior CIP year.

F. Final State Capital Improvement Program IAC Approval.

(1) After May 1 and before June 1, provided that the capital budget is approved during the regular General Assembly Session, the IAC shall approve a final State capital improvement program that identifies new construction projects, including replacement schools and additions, *renewal projects*, renovation projects, [including limited renovation projects, systemic renovation] *capital maintenance* projects, and relocatable facilities recommended for planning approval or funding approval and that identifies a maximum State construction allocation for each project.

(2)—(3) (text unchanged)

G. (text unchanged)

.05 State-Rated Capacity.

A. (text unchanged)

B. Elementary Schools.

- (1)—(2) (text unchanged)
- (3) The approved capacity for an elementary school classroom is:
 - (a)—(c) (text unchanged)
 - (d) Grade 6 classroom:[—25; and]
 - (i) *If located in an elementary school—23; or*
 - (ii) *If located in an elementary/middle school, or a secondary school—25;*
 - (e) Special education classroom—10[.]; *and*
 - (f) *Alternative education classroom—10.*
- (4)—(5) (text unchanged)

C. Secondary Schools.

- (1)—(2) (text unchanged)
- (3) The approved capacity for a secondary school classroom is:
 - (a) Grades 6 through 12 classroom—25; [and]
 - (b) Special education classroom—10[.]; *and*
 - (c) *Alternative education classroom—10.*

D—F. (text unchanged)

.07 Maximum State Construction Allocation.

A. The maximum State construction allocation is the maximum amount the State may fund of eligible [construction] costs for each public school construction project.

B.—E. (text unchanged)

F. The average Statewide per-square-foot school building cost that applies to each annual capital improvement program:

- (1) (text unchanged)
- (2) Is based on:
 - (a) (text unchanged)
 - (b) Cost information derived from industry sources; [and]
- (3) May be adjusted by the IAC to reflect market conditions before submission of the final State capital improvement program [.]; *and*
- (4) *Projects that qualify for the Net-zero State Cost Share add-on pursuant to COMAR 14.39.02.06E(4) for which the applicant project receives a State cost share of 96 percent or greater in accordance with COMAR 14.39.02.06F and including the State Cost Share add-ons pursuant to COMAR 14.39.02.06E(1)—(3), may be eligible for an increase to the cost-per-square-foot described in this regulation equal to the value of a 5 percentage point increase in the State Cost Share for the project minus the value of the difference between 100 percent and the applicant project State cost share including add-ons pursuant to COMAR 14.39.02.06E(1)—(3).*

G. (text unchanged)

H. [Renovation] *Renewal*.

(1) The maximum State construction allocation for projects proposed to [renovate] *renew* buildings or portions of buildings, 16 years or older, is calculated according to either:

- (a) The following formula:
 - (i) Beginning with the oldest portion of the building, and using the gross area baseline as the upper limit, determine the eligible square footage of the [renovation] *renewal* categorized according to the age group of the building portion containing the [renovation] *renewal*;
 - (ii) (text unchanged)
 - (iii) Age of building portion containing [renovation] *the renewal* as measured from January 1 following the IAC December 31 submission of the preliminary State capital improvement program: [40 years or older 100 percent; 31 to 39 years 85 percent; 26 to 30 years 75 percent; 21 to 25 years 65 percent; 16 to 20 years 50 percent; and 0 to 15 years 0 percent;] *40 years or older—100 percent; 31 to 39 years—85 percent; 26 to 30 years—75 percent; 21 to 25 years—65 percent; 16 to 20 years—50 percent; and 0 to 15 years—0 percent.*
- (iv)—(vi) (text unchanged)

(b) (text unchanged)

(2)—(3) (text unchanged)

I. [Limited] Renovation.

- (1) The estimated cost of construction of a [limited] renovation may not exceed the estimated cost of construction for a [renovation] *renewal*.
- (2) The maximum State construction allocation for a [limited] renovation is calculated by multiplying the estimated costs of construction, including site work, by the State cost share percentage.

(3) (text unchanged)

(4) Adjustments to Maximum State Construction Allocation for a [Limited] Renovation.

(a) (text unchanged)

(b) If projects in the school have been funded within the previous 15 years, the LEA shall provide documentation to identify all previously funded [scope] *scopes* of work that may be replaced or upgraded in the [limited] renovation.

(5) For a [limited] renovation, the new average year of completed construction of the building or portion of the building is determined by the average year of completed construction of the original building, plus the year of completed construction of the [limited] renovation, divided by 2.

(6) (text unchanged)

J. Addition. When a project involves an addition only, the IAC at its discretion may calculate the maximum State *construction* allocation according to either:

(1)—(2) (text unchanged)

K. Addition in Conjunction with [Renovation] *Renewal* or [Limited] Renovation. When an addition involves both an addition and a renovation or a [limited renovation] *renewal*, the maximum State construction allocation is established by adding the [renovation] *renewal* or [limited] renovation

maximum State construction allocation calculated according to §G or H of this regulation and the addition (new construction) maximum State construction allocation calculated according to §J of this regulation.

L. Replacement

(1)—(2) (text unchanged)

(3) If the State approves renovating *or renewing* an existing school and the LEA builds a replacement school, the IAC may reduce the [renovation] maximum State construction allocation for that project by 15 percent.

(4) (text unchanged)

M. Forward-Funded Project. If the maximum State construction allocation for a forward-funded project is calculated according to the formulas in §G, H, or I of this regulation, the following factors shall be applied:

(1)—(3) (text unchanged)

(4) For a [limited] renovation project, the amount of the awarded scope of work, not to exceed the maximum State construction allocation as developed in §H(1)(a) of this regulation.

N. (text unchanged)

.08 Changes to the Maximum State Construction Allocation.

After the IAC sets the maximum State construction allocation in the State capital improvement program:

A. (text unchanged)

B. The IAC may increase the maximum State construction allocation for a [systemic renovation] *capital maintenance* project when [the LEA has sufficient reserve funds available based on the following]:

(1) (text unchanged)

(2) *The LEA documents that the:*

(a) *LEA has taken reasonable actions to reduce construction costs; and*

(b) *Construction costs have resulted from exceptional circumstances.*

[(2)] (3) (text unchanged)

C. The IAC may increase the maximum State construction allocation for a project other than a [systemic renovation] *capital maintenance* project [based on the following:] *if [(1)] the LEA documents that the: [(a)] project has critical impact on the LEA's budget; [(b)] LEA has taken reasonable actions to reduce construction costs; and [(c)] construction costs have resulted from exceptional circumstances different from those that confront most projects in the State or region. [; and]*

[(2)] The State Superintendent of Schools determines that:

(a) The educational impact of the project extends beyond the school and its immediate community; and

(b) There are no alternatives to resolving the educational facility problem that the project addresses.]

.09 [Early Planning] Project Development and Design Funding Allocation.

A. The [early planning] *project development* and design funding allocation is the maximum amount the State may fund of eligible [planning] *project development* and design costs for a public school construction project.

B. The [early planning] *project development* and design funding allocation for each approved public school project is set in the State capital improvement program.

C. The [early planning] *project development* and design funding allocation may not exceed [10%] *10 percent* of a preliminary maximum State construction allocation as set forth in Regulation .06 of this chapter and as calculated in the year of the request for [early planning] *project development* and design funding.

.12 Eligible Expenditures.

The following expenditures may be eligible for State funding:

A.—C. (text unchanged)

D. [Renovation] *Renewal* or [limited] renovation, that is, the work necessary to restore and modernize an existing school facility or a portion of a facility that is 16 years or older;

E. [Systemic renovations] *Capital maintenance projects* as set forth in Regulation [.15] *.16* of this chapter;

F.—K. (text unchanged)

[L. Window air-conditioning units, and associated electrical upgrades, installation, and security in schools where more than half of classrooms are not temperature-controlled.

(1) Notwithstanding any other regulation, the IAC may not recommend to subtract funding from the maximum State construction allocation for future renovation projects based on funding of air-conditioning units under this regulation;

(2) An LEA receiving funding for air-conditioning units shall annually certify that the units are being maintained on an ongoing basis and are operable; and]

[M.] L. (text unchanged)

.13 Ineligible Expenditures.

The following expenditures are ineligible for State funding:

A.—C. (text unchanged)

D. Projects proposed in buildings or portions of buildings that have been constructed or renovated within 15 years, except that [a] building or portion of a building in which a [limited] renovation was performed is eligible for additional work within 15 years of the date that the [limited] renovation construction was completed;

E. [Systemic renovation] *Capital maintenance* projects to replace, upgrade, or renovate building systems that have been replaced, upgraded, or renovated within 15 years[.];

F.—N. (text unchanged)

.14 School Site Selection.

A. An LEA shall submit a proposed site to the [Maryland Department of Planning through the Public School Construction Program] *Interagency Commission on School Construction* for:

- (1) Acquisition of a new site *planned* for a new or replacement school *that will be requested for Local Planning approval within 3 years*;
- (2)—(3) (text unchanged)

B. Unless a waiver is granted in accordance with Regulation [.30] .31 of this chapter, a proposed site for a new school or a replacement school that adds capacity shall be in a priority funding area.

C. (text unchanged)

D. Before submitting the request for site approval to the IAC, the LEA shall:

- (1) Submit the *school* site selection to the Maryland Department of Planning for State Clearinghouse review; [and]
- (2) Resolve any issues brought up in the State Clearinghouse Review[.]; *and*
- (3) *Submit the school site selection to the State Superintendent for approval or disapproval in accordance with Education Article, §2-303(f), Annotated Code of Maryland.*

E. When submitting the *school* site for IAC approval, the LEA shall include:

- (1) The local board of education's approval of the school site acquisition [to the IAC; and];
- (2) *The State Superintendent's approval of the school site acquisition; and*
- [(2)] (3) For a new school or a replacement school that adds capacity located outside of a priority funding area, a request for a waiver in accordance with regulation [.30] .31 of this chapter.

F. The IAC may recommend including a project for planning approval in the State capital improvement program only if the [project] *school* site has been approved or re-approved by the IAC *and the State Superintendent* in the preceding 3 years.

G. Priority Funding Area Review.

- (1) (text unchanged)
- (2) The following sites for school construction projects are not subject to priority funding area review:
 - [(a)] A site that was approved prior to the effective date of this regulation if a new school or a replacement school that adds capacity on the site received planning approval within 5 years of the date of the previous approval; and]
 - [(b)] (a) A site for a replacement school when there is no increase of capacity[.]; *or*
 - (b) *A site granted a Priority Funding Area Waiver in accordance with .31 of this chapter.*

.15 New Construction, [Renovation] *Renewal*, and [Limited] Renovation Projects.

A. This regulation applies to new construction, [renovation] *renewal*, and [limited] renovation projects approved in the State capital improvement program.

B. (text unchanged)

C. Educational Specifications.

(1) Unless an LEA is certified to complete review of educational specifications as provided by Education Article §5-314, Annotated Code of Maryland, the LEA shall submit the projects educational specifications to the IAC for every new construction, *renewal*, renovation, and renovation addition project approved in the State capital improvement program.

- (2)—(3) (text unchanged)

D. *Feasibility Studies.*

- (1) *An LEA that proposes to renew or renovate more than 25 percent of the gross square footage of a facility shall submit a feasibility study.*
- (2) *The IAC or its designee shall notify the LEA of concerns and recommendations about the feasibility study.*
- (3) *The LEA shall resolve the IAC's issues to the reasonable satisfaction of the IAC or its designee.*

E. *Cost Analysis.* *An LEA that proposes to renew a facility shall produce evidence that the renewal is more cost effective than a new or replacement school.*

[D.] F. Schematic Designs, Design Development Documents, and Construction Documents.

- (1)—(2) (text unchanged)

(3) *Schematic designs, design development documents, and construction documents must be approved by local boards of education prior to their submission to the IAC.*

G. *For new school construction projects that utilize State funding, the LEA shall include waste disposal infrastructure in the design documents submitted to the commission that includes a sink for liquid waste and a place for the disposal of:*

- (1) *Trash;*
- (2) *Recyclables; and*
- (3) *Food scraps.*

H. *Pedestrian Safety Plans.*

(1) *Definitions*

- (a) *"High-Density county" refers to one of the following jurisdictions:*

- (i) *Anne Arundel County;*
- (ii) *Baltimore City;*
- (iii) *Baltimore County;*
- (iv) *Howard County;*
- (v) *Montgomery County; or*
- (vi) *Prince George's County.*

- (b) *"Low-Density County" means any county in the State of Maryland not listed in §H(1)(a) of this regulation.*

(2) *A County Board in a high-density county seeking State funds for a new school, renewal, or addition to an existing school that would increase the capacity of the school by more than 100 students shall submit a pedestrian safety plan to the IAC.*

(3) *A County Board in a low-density county seeking State funds for a project in a city with more than 10,000 residents for a new school, renewal, or addition to an existing school that would increase the capacity by more than 100 students shall submit a pedestrian safety plan to the IAC.*

(4) A pedestrian safety plan shall:

(a) Be developed in collaboration with:

(i) The County Department of Transportation or equivalent agency of the jurisdiction of the County Board submitting the plan; and,

(ii) The State Highway Administration.

(b) Be limited to the area surrounding the school for which the County Board will not provide transportation to students;

(c) Identify existing and potential safe routes for students to walk or bike to school;

(d) Evaluate the infrastructure, including sidewalk infrastructure, along existing and potential pedestrian or cyclist routes to the school to determine whether increased capacity is necessary;

(e) Analyze existing and potential school zones, including the need for expanding school zones on State and county roads; and,

(f) Include documentation of public participation and input related to the pedestrian safety plan, including minutes from a public hearing or meeting and written comments.

(5) The IAC shall approve a pedestrian safety plan if the plan complies with §H(4) of this regulation.

[E.] I.—[I.] M. (text unchanged)

.16 [Systemic Renovations] Capital Maintenance Projects.

A. This regulation applies to [systemic renovation] *capital maintenance* projects approved in the State capital improvement program. *Capital maintenance projects may also be referred to as “systemic renovation” projects.*

B. A [systemic renovation] *capital maintenance* project:

(1)—(3) (text unchanged)

C. Requests.

(1) An LEA may submit a request to the IAC to fund a [systemic renovation] *capital maintenance* project in the following circumstances:

(a)—(b) (text unchanged)

(2) The request may only be for eligible expenditures in a project for which the total estimated construction cost is:

(a) (text unchanged)

(b) Less than \$200,000 but more than \$100,000 when the LEA does not have any [systemic renovation] *capital maintenance* project requests that exceed \$200,000 in estimated construction costs.

(3) A county board may bundle, for approval and procurement purposes:

(a) Similar [systemic renovation] *capital maintenance* projects at different schools; and

(b) Interrelated [systemic] *capital maintenance* projects at a single school.

D. Procedures. The requirements of Regulation [.14B and DI] .15B, F, and I—M of this chapter and COMAR 14.39.03 apply to [systemic renovation] *capital maintenance* projects approved in the State capital improvement program.

.17 State-Owned Relocatable Facilities.

A.—C. (text unchanged)

D. IAC Review. The IAC shall evaluate [relocatable-facilities] *relocatable facilities* funding [approval] requests using the following factors:

(1)—(3) (text unchanged)

E.—G. (text unchanged)

H. Surplus Property. The IAC may declare a State-owned relocatable facility to be surplus property.

(1) *LEAs who request the disposal of a State-owned relocatable facility must have the request approved by the IAC prior to the disposal of the unit.*

(2) *All disposals of State-owned property, including relocatable facilities, are required to follow the Maryland Department of General Services’ disposal procedure.*

.18 Emergency Repairs.

A.—C. (text unchanged)

D. Funding. The IAC may:

(1) (text unchanged)

(2) Determine whether the emergency repair funds will be deducted from the maximum State construction allocation for future building *renewals and renovations* based on the nature and cost of the emergency repairs.

.20 Aging Schools Program.

A.—B. (text unchanged)

C. Funding.

(1) Allocations for each LEA are set forth in Education Article [§5-206] §5-324, Annotated Code of Maryland.

(2)—(3) (text unchanged)

D.—E. (text unchanged)

[F. Requirement to Use Funds.

(1) The LEA shall contract to expend funds allocated in a fiscal year before the end of the fiscal year.

(2) The LEA shall expend funds allocated in a fiscal year and request reimbursement within 5 months following the end of the fiscal year.

(3) The IAC may extend the time for placing a project under contract or expending the funds under extraordinary circumstances.]

[G.] F. (text unchanged)

[H.] G. State Payment. The LEA shall submit to the IAC one request for payment per [project] *contract*. The IAC or its designee shall review the request for payment for determination of whether the request comprises eligible expenditures and whether payment is within the allocation. The State shall pay the LEA through a single reimbursement at project completion.

[I.] H. (text unchanged)

.32 Emergency Management Shelters.

A.—C. (text unchanged)

D. For schools that will be used as emergency management shelters based upon the LEA determination, local officials shall consult with the [Maryland Emergency Management Agency (MEMA)] *Maryland Department of Emergency Management (MDEM)* to determine those areas of the facility that are necessary for public safety when the circumstances require the use of the facility as a public shelter during or after a federal, State, or local declared emergency.

E. (text unchanged)

.33 Built to Learn Program.

A. There is a Built to Learn Program. The Built to Learn Program is separate from the State Capital Improvement Program. The Built to Learn Program is governed by the memorandum of understanding (MOU), as defined in Economic Development Article, §10-650, Annotated Code of Maryland, established between the IAC and the Maryland Stadium Authority.

B. Funding allocations for the Built to Learn program are mandated in Economic Development Article, §10–650, Annotated Code of Maryland, and shall be distributed accordingly.

C. IAC review will consist of planning review, priority funding area review, and available funding allocation review, Built to Learn projects must be brought to the IAC for approval. For each project approved by the IAC, the LEA shall establish an MOU with the Maryland Stadium Authority.

D. Built to Learn funding may be combined with Capital Improvement Program funding, or funding from other IAC programs. Projects that combine funding must meet the contract award requirements pursuant to COMAR 14.39.02 and 14.39.03.

ALEX DONAHUE
Executive Director