

# REGULATION

## ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

**Related Entries:** Policy FB

**Responsible Office:** CHIEF OPERATING OFFICER

### TELECOMMUNICATION TRANSMISSION FACILITIES

#### A. PURPOSE

To establish procedures and criteria for applications by telecommunication carriers to lease Anne Arundel County Public Schools (AACPS) sites/properties for wireless telecommunication transmission facilities.

#### B. BACKGROUND

Telecommunication transmission facilities provide county residents and businesses access to wireless coverage and emergency communication while advancing instructional technology within AACPS. To facilitate the use of such structures, an orderly process for providing wireless telecommunications is required.

#### C. PROCEDURES

##### 1. Contract/Master Agreement

The Anne Arundel County Board of Education (Board) may consider entering into a master agreement with a vendor interested in leasing a portion of school sites/properties to construct telecommunication transmission facilities.

##### 2. Preliminary Evaluation

- a. After concurrence on the Master Agreement, and upon receipt by AACPS for a request to lease a particular AACPS site/property for the purposes of constructing telecommunication transmission facilities, the vendor making the request shall submit to AACPS, for a preliminary screening, a description of the site/property, potential telecommunication transmission facilities locations, required height, set back requirements, supporting equipment and infrastructure, and proposed type of telecommunication transmission facilities.
- b. If the site/property passes initial AACPS screening for physical suitability for telecommunication transmission facilities, AACPS staff, the principal of the school, and the vendor shall meet to explore the physical feasibility of the proposal, including potential locations, access and other site/property constraints.

- c. Anne Arundel County Public Schools shall authorize the vendor to proceed to notify internal stakeholders if AACPS staff determines that:
  - i. the site/property is a feasible candidate for telecommunication transmission facilities consistent with the master agreement; and
  - ii. telecommunication transmission facilities could be located on the site/property without interfering with current or future instructional or other activities, including future construction of new or future expansion of existing buildings, athletic facilities, or other facilities on the site/property.
3. Internal Notification and Board Review
  - a. If AACPS determines that it is appropriate to proceed with the approval process for the telecommunication transmission facilities, the vendor, with assistance from AACPS, as appropriate, shall set up an on-site meeting with the Principal, PTA/PTO President, and any interested Board Members, to review the wireless program in general, the application in specific, and the process going forward as it relates to community notification.
  - b. The vendor shall submit an application briefing package of information to AACPS for Board of Education review.
4. Land Use Application and Ground Lease
  - a. The vendor shall send notification regarding the tentative telecommunication transmission facilities construction to adjacent residents and community organizations as required by Anne Arundel County Office of Planning and Zoning, and as augmented through consultation with AACPS. The notification shall direct recipients to a website containing information on location, improved coverage area, visual impact, process, health and safety issues, and the vendor's contact information.
  - b. Concurrent with the neighborhood notification, notification shall be sent out directly to parents/guardians, teachers and staff from the AACPS Public Information Office or the Superintendent's designee. The notification should direct parents/guardians to the above-mentioned website for additional information.
  - c. The vendor shall hold a community meeting to allow for public comment and to answer questions. The school community, the Chief Operating Officer, and Board members shall be notified of the date, time, and location of this meeting at least 14 days in advance.
  - d. After the community meeting, the vendor shall promptly report back to AACPS on the outcome of the meeting and make any necessary adjustments to the initial application briefing package and tower location. Any adjustments shall be reflected as an update on the website.

- e. At a subsequently scheduled Board Meeting, the Board of Education shall review the meeting outcome summary and final application.
  - f. Absent action by the Board to preclude the project from proceeding, the vendor shall then prepare the construction documents (application) that meets AACPS requirements and applicable construction codes.
  - g. The Superintendent's designee shall review and approve the required construction documents. The Superintendent's designees shall advise the vendor to proceed with an application for the required regulatory approvals.
  - h. Concurrent with the vendor's application for the required Anne Arundel County, State and Federal regulatory approvals, the final location plans shall be posted on the vendor's website. The Public Information Office or the Superintendent's designee shall advise the Principal to update parents/guardians accordingly.
  - i. Following the notification and community outreach process, the vendor shall submit to the Superintendent's designee a draft ground lease including exhibits for review by the Board of Education's attorney, and final approval by the Superintendent and Board President. The ground lease shall be subject to the vendor successfully obtaining all required governmental approvals. Upon obtaining all required approvals, both parties shall execute the ground lease and record it.
  - j. Once the necessary governmental approvals and the signed ground lease are in place, the vendor shall submit the construction schedule to AACPS for approval. Notification to the Board shall be completed once all governmental approvals are obtained so Board Members are aware of the construction schedule. Upon approval, the Board Members and the Principal shall be advised of the proposed construction schedule by the Superintendent's designee. The Principal shall inform the school community accordingly, and the vendor shall proceed with construction.
5. Revenue sharing
- a. The school where the telecommunication transmission facility is located shall receive twenty-five percent of the revenue from the one-time site fee.
  - b. The school cluster that encompasses the school with the telecommunication transmission facility shall receive twenty-five percent of the revenue from the one-time site fee. The Regional Assistant Superintendent assigned to the cluster receiving the revenue shall determine how the monies are spent or allocated within that school cluster.
  - c. All other revenues from the telecommunication transmission facility shall go to the Board of Education's general fund.

*Regulation History:*        *Developed by Superintendent 03/19/14.*  
                                      *Reviewed by Board of Education 03/19/14.*  
                                      *Issued 01/14/16.*

*Note previous regulation history: Issued 03/19/14.*