FACILITIES DEVELOPMENT

Telecommunication Facilities on School Property

This regulation sets forth the procedure for seeking School Board approval to lease School Board property and/or obtain an easement for the location/co-location and operation of “Telecommunication Facilities.” “Telecommunication Facilities” means any facility used or intended for the transmission and/or reception of communication signals and for the construction, installation, operation, maintenance, repair, removal, or replacement of telecommunication facilities, including, but not limited to, monopoles, base facilities, antennas, microwave dishes, equipment shelters and cabinets, or related facilities. This regulation also applies to applicants co-locating on an existing monopole and constructing an associated base station.

I. Application Procedure

A. At such time as a telecommunication facilities operator or other entity, including Public/Private Partnership, expresses an interest in leasing and/or obtaining an easement upon Prince William County Public Schools (PWCS) property for the purpose of installing, maintaining, and/or operating a monopole and/or other associated ground-based telecommunication equipment of any type, the applicant shall submit a written proposal to the Supervisor of Land Acquisition and CIP Planning containing a description of the proposed telecommunication facility and any other factual information requested by the School Division.

B. Proposals to lease or obtain easements upon school property for the location or use of telecommunication facilities shall be reviewed on a site-by-site basis.

C. The Supervisor of Land Acquisition and CIP Planning and a project manager from the Office of Facilities Services shall review the proposal to determine if the proposed telecommunication facility meets certain threshold requirements, including the availability and location of the requested site; whether the facility can be located on the site without interfering with current or future instructional or other school activities; the impact of the proposed facility on the use or expansion of existing buildings and athletic or other facilities on the site, and on future use and construction of new buildings or facilities; whether the terms of the proposal benefit the School Division and are consistent with sound business principles; and any other factors which the Supervisor of Land Acquisition and CIP Planning considers relevant to such determination.

If it is determined that the proposal is not feasible, the Supervisor of Land Acquisition and CIP Planning will notify the applicant and the proposal shall be denied.
D. If the Supervisor of Land Acquisition and CIP Planning makes a threshold determination that the proposal is feasible, the Associate Superintendent for Finance and Support Services shall notify the School Board of the telecommunication facility applicant’s intent/proposal.

E. If a new monopole structure is to be installed on School Board property, prior to School Board approval, the telecommunication facility applicant shall be responsible for community outreach and providing notification:
   1. In the form and manner required by the School Division, to the school community, including principal, faculty, and PTA/PTO of the school located on the proposed site.
   2. Written notice to all owners of real property abutting the site.
   3. Written notice to the member of the Prince William Board of County Supervisors representing the district in which the site is located.
   4. Written notice to the member of the Prince William County Planning Commission representing the district in which the site is located.

F. As directed by the School Division staff, the applicant shall provide the School Board with public comment and any further information requested by the School Board. The School Board shall make the final determination whether the proposed telecommunication facility lease, contract, or easement is of benefit to PWCS and is consistent with good business judgment and sound business principles.

G. The Supervisor of Land Acquisition and CIP Planning will provide the applicant with a standard ground lease agreement (prepared by the Division Counsel) that will allow leasing of such facilities to private telecommunication services at fair market value. The terms and conditions of the Lease Agreement will address, at a minimum, term, rent, access, interference, indemnity, maintenance, and utilities. Upon agreement of the final terms and conditions of the proposed lease agreement, as approved by staff and the Division Counsel, the lease agreement shall be scheduled on the School Board consent agenda for final approval.

H. The party seeking approval of the telecommunication facility shall be solely responsible for obtaining any county, city, or town approval for placement, installation, or operation of the facility prior to any installation or placement. The location, height, and all other features and uses of the telecommunication facility shall be consistent with the Prince William County Comprehensive Plan and conform to the requirements of the County Zoning ordinance and all other local, state, or federal laws or requirements.
I. All installation activities shall be coordinated with a project manager from the Office of Facilities Services and appropriate school staff.

II. Implementation

A. If the telecommunication facility placement is approved by the School Board, the Supervisor of Land Acquisition and CIP Planning shall be responsible for collection of any lease or contract payments and maintenance of records.

B. The Director of Financial Services will be responsible for processing the payments and maintaining a record of such payments in the financial system.

III. Costs/Terms

A. All lease agreements shall provide that the fees charged for the lease will increase annually on the commencement date. Cost for telecommunication facilities shall be negotiated based on leased area and any other relevant business principles.

B. The school where the new telecommunications facility is located shall receive a payment of 50 percent of the first year’s rent or site fee and shall be deposited to the school’s operating account. The remaining 50 percent and future revenue will be deposited into an appropriate central office account.

C. Standard lease terms shall be determined in the lease agreement to include an initial five-year period, followed by additional renewal periods.

IV. Permitted Uses

Use of the premises shall be compatible with the conditions of the lease, all applicable local, state, and federal law, and the applicant’s engineering specifications, system design, operations and governmental approvals.

The Associate Superintendent for Finance and Support Services, or designee, is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.

PRINCE WILLIAM COUNTY PUBLIC SCHOOLS