

MSBA Policy Statement **Regarding Failed Local Vote**

Policy Statement regarding the impact on MSBA funding if a City, Town or Regional School District fails to vote to appropriate funding for the proposed project as defined in the Project Scope and Budget Agreement, within the deadlines established by the MSBA

The Project Scope and Budget Agreement, as approved by the MSBA's Board of Directors, defines the scope, cost and schedule of the agreed upon proposed project, and any variances from this Agreement require the written approval of the MSBA and may require an additional Board vote. Pursuant to the MSBA's regulations, a city, town or regional school district that has been approved by the Board for a proposed project has 120 days from the date of the Board's approval to obtain and certify local approval of an appropriation to fully fund the proposed project and all other local votes or approvals showing acceptance of the cost, site, type, scope and timeline for the proposed project.

The MSBA appreciates the challenges that school districts face, but the MSBA's regulations specifically include this 120-day deadline for a local appropriation to ensure that the MSBA's capital program funds are targeted toward projects and school districts that are ready and able to make the financial commitment and move forward in a timely manner. Given the overwhelming capital needs of school districts across the Commonwealth and the MSBA's limited capital program funds, the MSBA cannot indefinitely tie up funds allocated for a project that lacks local support.

In the event that a school district fails to approve funding for a proposed project within the 120-day deadline, by no later than 10 business days following the failed vote, the school district must submit to the MSBA a plan that: (1) presents the vote results, (2) explains the school district's understanding of the reason(s) for the failed vote, and (3) sets forth the school district's plan to remedy the failed vote and a suggested timeline for such a remedy. The MSBA will review the plan and determine whether it can continue to set aside MSBA funds for the proposed project.

However, a failed local vote likely will result in the school district being required to submit a new Statement of Interest to the MSBA and await a second invitation from the MSBA to enter the feasibility study phase of the MSBA's process.

Submitted by Christine Swanson, SBC Co-Chairperson, 3/03/10