

**STATE BOARD OF  
EDUCATION**

**Subtitle 05 SPECIAL INSTRUCTIONAL PROGRAMS**

**13A.05.04 Programs for Library Media Services**

Authority: Education Article, §23-510,  
Annotated Code of Maryland

***.08 County Library Capital Project Grants Program.***

*A. In this regulation, the following terms have the meanings indicated.*

*B. Terms Defined.*

*(a) "DLDS" means the Division of Library Development and Services.*

*(b) "LLA" means local library agency or county library system.*

*(c) "Project completion" means:*

*(i) Construction work has been completed in accordance with the contract documents;*

*(ii) The project architect has issued a certificate of completion;*

*(iii) The contractor has submitted the application for final payment; and*

*(iv) The building has been accepted by the LLA.*

*C. Responsibilities of DLDS. DLDS shall:*

*(1) Develop and administer a grant program for county library capital projects to provide a uniform and objective analysis of proposed capital projects and support projects that address the library needs in the State;*

*(2) Evaluate and prioritize grant requests to provide a uniform and objective analysis of proposed capital projects, including the review of each applicant's library facilities master plan;*

*(3) Review proposed county library construction grants and issue approvals that are specific to a definite project with a prescribed scope and cost; and*

*(4) Use the following criteria to evaluate capital project requests:*

*(a) The public necessity and urgency of a project;*

*(b) The need for additional sources of funding for a project;*

*(c) The estimated cost and [[ timelines]] timeliness of executing a project;*

- (d) The viability of matching funds for a project;*
- (e) Geographic diversity; and*
- (f) Other factors that may give priority to a project.*

*D. Library Facilities Master Plan.*

*(1) By July 1 of each year, as a condition of receiving State project approval, each LLA shall submit to DLDS or its designee [[ the LLA's]]:*

*(a) Countywide library plan, which includes:*

- (i) A mission statement;*
- (ii) A needs statement; and*
- (iii) Multiyear goals and objectives; and*

*(b) Library facilities master plan, which includes:*

- (i) A description of the capital project approved by the applicant's governing body;*
- (ii) An updated and detailed capital improvement program for the following fiscal year; and*
- (iii) A library capital improvement program for the following 5 years.*

*(2) The annual and subsequent 5-year capital improvement program shall be consistent with the current library facilities master plan of record.*

*E. Capital Improvement Projects Grants Program.*

*(1) By July 15 of each year, an LLA may submit up to 3 applications to DLDS to receive grants for capital projects for the next fiscal year.*

*(2) An application shall include:*

- (a) A description of the scope and purpose of the project;*
- (b) A building plan that includes the estimated total cost of the project, including matching funds; and*
- (c) Any other information required by DLDS.*

*(3) On or before October 1 of each year, DLDS shall make a recommendation to the State Board of Education regarding LLA capital project grants for the following fiscal year that:*

- (a) Identifies capital projects for funding approval; and*
- (b) Recommends a maximum State construction allocation for each project.*

*(4) On or before November 1 of each year, on approval of the State Board, DLDS shall forward the list of approved LLA capital projects to the Department of Budget and Management.*

*(5) By December 1 of each year, each local library board shall submit documentation that:*

*(a) The local government has approved the LLA request for State funds and agreed to provide the required matching funds; and*

*(b) The requested State funding will be expended within the fiscal year following the fiscal year in which the funds are requested.*

*(6) Amendments to the State capital improvement program that a local library board considers necessary to submit during the course of the year shall be reviewed and approved by DLDS and the State Board of Education before an amendment may be implemented.*

*(7) State and Local Cost Share Formula.*

*(a) The maximum State share shall be no more than 50 percent of the project expenses approved by DLDS pursuant to this regulation and Education Article, §23-502, Annotated Code of Maryland.*

*(b) Grants under this program may not be for an amount less than \$20,000.*

*F. Planning and Design of Capital Projects.*

*(1) Land or buildings for a capital project shall be acquired by the board of library trustees or, in Montgomery County, the Department of Public Library Services.*

*(2) Architects and Engineers.*

*(a) The plans, specifications, and related documents for each construction project shall be developed under the supervision and responsibility of a licensed architect or engineer.*

*(b) The LLA shall select the architect or engineer.*

*(c) The LLA shall notify DLDS of the architect or engineer selected.*

*G. Grant Close-Out.*

*(1) Within 180 days after project completion, the LLA shall submit a close-out summary to DLDS using a form provided by DLDS.*

*(2) The State Department of Education may conduct financial and procedural compliance audits.*

*H. Rescinding Funding Approval.*

*(1) If, within 2 years after funding is made available for a project, no part of the project is under contract, DLDS may determine the project to be abandoned and rescind the funding approval.*

*(2) When DLDS rescinds funding approval, DLDS shall transfer the allocation to the Statewide Contingency Account for the fiscal year in which the project was approved for funding.*

*(3) Funds transferred to the Statewide Contingency Account may be used for any project approved in a future LLA capital improvement program.*

*(4) After a project approval is rescinded, to be considered for reinstatement, the project shall be submitted as a new project request in a succeeding fiscal year's annual LLA capital improvement program.*

*(5) DLDS may approve a request to extend the allowable time for placing a project under contract if the extension is justified by unusual circumstances.*

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