Policy 8335.45
School Board

FACILITIES

Facilities ~~Design and Construction~~ Planning

Wireless Telecommunications Facilities

This policy supersedes Policy 8335.3.

I. PURPOSE

To establish the conditions for allowing mobile and land-based telecommunication network facilities for wireless telecommunication for the citizens of the county to be placed on property owned by Fairfax County Public Schools (FCPS). Also, this policy will help avoid conflict with future capital projects. ~~To provide access to school properties for the location of mobile and land-based telecommunication network facilities for wireless telecommunication for the citizens of the county, consistent with the efforts of the Fairfax County government to furnish appropriate coverage for the safety and security of citizens, promote wireless connectivity, and enhance the instructional program of Fairfax County Public Schools (FCPS), as well as to obtain revenue for the benefit of FCPS for those school division sites where facilities are approved in accordance with this policy.~~

II. SUMMARY OF CHANGES

~~This policy has been revised to –~~

~~- reserve the right of the School Board to review and approve/disapprove any application for review prior to any other government approval, and~~

~~- ensure FCPS sites only be considered after the magisterial district(s) and at-large School Board member(s) have been informed about the site application and briefed on placement.~~

- The Purpose section has been updated and moves prior content into the Philosophy section.
- The Philosophy section has been edited to move elsewhere reference to complying with laws and regulation, and to add language about avoiding conflict with future capital projects.
- A Responsibilities section has been added.
- Changes to division organizational structure have been reflected.
- Legal references have been added.

III. PHILOSOPHY

~~The School Board shall comply with all federal, state, and local laws and regulations related to telecommunications facilities.~~

The School Board recognizes that FCPS owns and stewards a massive amount of geographic area of public school facility assets in Fairfax County, dedicated to the instruction of the children residents of the County. These assets can serve a secondary purpose, as available, by providing access to school properties for the location of mobile and land-based wireless communication facilities to better serve county residents, including enhancing the instructional program for FCPS students. Locating wireless communication facilities will be consistent with the efforts of the Fairfax County government to furnish appropriate coverage for the safety and security of residents; promote wireless connectivity across the County; and obtain revenue for the benefit of FCPS for those school division sites where telecommunication network facilities are approved in accordance with this policy.

IV. RESPONSIBILITIES *(includes content from former PHILSOPHY section)*

The Division Superintendent shall:

A. Comply with all federal, state, and local laws and regulations related to telecommunications facilities.

B. Obtain input from community members and provide information to adjacent property owners and the school community where the proposed wireless communication facility will be considered, through the appropriate communication channels used by FCPS and the local school. ~~Input from community members and school parents will be solicited prior to any decisions on wireless telecommunications facilities applications as set forth in Regulation 8335.~~

C. ~~Wireless telecommunication facilities will be c~~Consider locations for wireless telecommunication facilities based on the following: ~~these on school system site types: s per these stipulations:~~

1. where adequate space exists on FCPS public facility assets that contain administrative offices, maintenance facilities, high schools, or secondary or middle schools;

~~2. where the magisterial district and at-large School Board members have been notified and briefed on the requested placement,~~

~~3. can be integrated into currently existing vertical structures or natural elements, and~~

~~4. where the facilities can be constructed in such a manner as to resemble other manmade structures, such as light poles and trees. Such facilities will not be installed on elementary, middle, or high school buildings; and~~

2. where the proposed wireless communication facility meets the Fairfax County Planning Department criteria for such a facility; and

3. where the wireless communication facility can be located in such a manner as to not interfere with potential future building renovations, additions, or other such

necessary facility and site development.

~~D. The Board states a preference that wireless communication facilities should not be placed on elementary school property.~~

~~**V. AUTHORITY**~~

D. The magisterial district and at-large School Board Members shall be notified and briefed by the Division Superintendent on the requested placement of wireless communication facilities prior to any formal consideration of the Division Superintendent and communication to the applying entity about status of request.

E. If there is no objection by the magisterial district and at-large School Board Members, the Division Superintendent will begin the site application review. If, based upon the site application review, the Division Superintendent decides to recommend that the project move forward, the Division Superintendent will provide the full School Board with notice of such recommendation, together with a copy of the site application and a summary of staff's findings. Thereafter, the Division Superintendent may commence negotiation of a lease agreement with the applicant that will ultimately be submitted to Fairfax County government for action.

F. The School Board reserves the right to review and approve/disapprove any application prior to any Fairfax County government review or approval.

G. One or more School Board member(s) may request that any pending application be submitted to the School Board for discussion or vote, or both.

H. In the absence of any disapproval of the application by the School Board, the Division Superintendent shall be authorized to execute a lease for the site following: (i) notification of and engagement with community members in accordance with Section III.C(6) and (7) of Regulation 8335 (Procedures for Seeking Approval of Telecommunications Facilities); and (ii) approval of the Fairfax County Planning Commission and the Fairfax County Board of Supervisors, where such is required.

School division action whether by the School Board or its authorized staff, shall precede any associated hearing or decision by the Fairfax County Planning Commission.

I. The Division Superintendent ~~and the Chief of Facilities Services and Capital Programs assistant superintendent for the Department of Facilities and Transportation Services, either of whom may act individually and through his or her designees, shall have~~ has authority to:

1. take all necessary actions to process applications (including granting approvals or issuing denials) except where the School Board itself has elected to decide on a given application);

2. negotiate and execute such agreements and related documents in connection with wireless telecommunication facilities of third parties on school property; and

3. administer and manage the wireless telecommunications program on behalf of the school system.

J. ~~B.~~ An application for a wireless telecommunications facility on elementary school grounds will require referral by a School Board member to the Board for consideration.

Legal References: Code of Virginia, Sections 22.1-131, 15.2-2232, and 56-1.2
Telecommunications Act of 1996, 47 U.S.C. § 332(c)(7)

Cross reference:
Regulation 8335, Procedures for Seeking Approval of Telecommunications Facilities

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FAIRFAX COUNTY SCHOOL BOARD