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[News](#)
 [District/School Administration](#)
 [Educator Services](#)
 [Assessment/Accountability](#)
 [Family & Community](#)
[Administration](#)
[Finance/Grants](#)
[PK-16 Program Support](#)
[Information Services](#)

> [Laws & Regulations Home](#)
 > [State Regulations](#)
 > [State Laws](#)
 > [Federal Laws](#)
 > [Legal Advisories](#)
 > [Arbitration Awards](#)

District/School Administration > Administration >

Education Laws and Regulations

603 CMR 38.00: School Construction

38.05: Program Standards: Capital Construction

In order to maximize the cost effective production of efficient, programmatically sound school projects, every capital construction project shall conform to the following program standards.

(1) Program Design A school project shall be designed based upon approved program for a specified number of students for a typical academic week. The program model shall be approved by the district school committee, and shall comply with requirements of law and Board regulations relative to curriculum, program, student learning time and length of school year. In addition the project design may contain provision for community programs approved by the district school committee or other local agency or office having lawful control of community programs. Community school spaces shall be included within the gross square footage established in 603 CMR 38.00 unless the Commissioner specifically approves additional space based on demonstrable community need that cannot be accommodated within those limitations. Swimming pools and skating rinks shall not be eligible for reimbursement. Field houses shall only be eligible for reimbursement to the same extent as gymnasiums.

(2) Planned Enrollment The Department and the applicant shall agree on a planned enrollment for the school project. The applicant shall provide adequate supporting documentation as requested by the Department. The planned enrollment shall be consistent with demonstrable need, and shall not include incoming school choice students.

(3) Per Pupil Space Allowance The Commonwealth shall share in the construction of school facilities within the following limitations in gross square footage, determined according to the method of computation contained in 603 CMR 38.05(6):

- (a) Elementary Schools - not more than 115 gross square feet per pupil in planned enrollment.
- (b) Middle Schools/Junior High Schools - not more than 135

gross square feet per pupil in planned enrollment.

(c) Academic High Schools - not more than 155 gross square feet per pupil in planned enrollment.

(d) Vocational Technical Schools - not more than 225 gross square feet per pupil in planned enrollment.

(e) Comprehensive High Schools - not more than 225 gross square feet per planned vocational technical student enrollment plus not more than 155 gross square feet per planned academic pupil enrollment.

(4) **Space Allowance by Program Activity** The standards set forth in Tables 1 through 3 shall be followed in planning school construction and expansion for elementary, junior high/middle, and secondary schools for which State school building assistance funds are sought.

Table 1
Elementary School Program Standards

Program spaces for an elementary school shall be shared in by the Commonwealth if they fall within these ranges. A variation of 5% is permitted.

All spaces exclusive of storage	Minimum - Maximum (net area)
Classrooms (Grades 1-8)	900 - 1000 square feet
Pre-Kindergarten and Kindergarten (with self-contained lavatory)	1200 - 1300 square feet
Special Education and Collaboratives	as needed
Art	1000 - 1200 square feet
Music 1. Practice Rooms 2. Ensemble Rooms	1000 - 1200 square feet 75 -130 square feet up to 300 square feet
Media Center/Library Reading Room	1800-3000 square feet
Cafeteria	15 square feet per pupil computed to accommodate not more than 1/2 nor less than 1/3 the planned enrollment.
Kitchen	1300 square feet for the first 50 students; one square foot per each additional meal.
Gymnasium 1. 12+ classroom	3000 square feet per station

school/separate gymnasium, first 2 teaching stations	minimum
2. Smaller school, all purpose room or third teaching station and subsequent teaching stations.	2000 - 3000 square feet each station
Administration	up to 800 square feet
Health Area	300 - 750 square feet
Guidance Area	as needed
Small Group and Seminar	up to 500 square feet each
Computer Labs/Work Stations	30 square feet per work station

Table 2
Junior High And Middle School Program Standards

Program spaces for junior high and middle schools shall be shared by the Commonwealth if they fall within these ranges. A variation 5% is permitted.

Classrooms 1. Small Group Seminar 2. Regular Interchangeable (20- 30 pupils) 3. Large Group (80-125 pupils) 4. Storage	300 - 500 square feet 750 - 850 square feet 1500 - 2000 square feet as needed
Computer Labs/Work Stations	30 square feet per work station
Art 1. General Area (storage not incl.) 2. Specialized Areas (storage not incl.) 3. Storage	1200 - 1400 square feet 600 - 1200 square feet min. 100 -200 square feet/art room
Music 1. Rehearsal (band, chorus, etc.) 2. Theory & Choral 3. Practice Rooms 4. Ensemble Rooms 5. Storage	1400 - 1600 square feet 900 - 1200 square feet 75 -130 square feet up to 200 square feet each as needed
Office Technology	1200 -1400 square feet
Family & Consumer Science	1400 -2400 square feet

Life Management Skills (includes computer & demonstration space)	2400 -2600 square feet
Technology Education 1. Unified Lab 2. Technical Illustration (computer aided drafting)	Up to 100 square feet/pupil e; laboratory. Minimum 2000 square feet 1200 -1400 square feet
Science	1000 - 1200 square feet
Physical Education (2 stations) Additional teaching stations	6000 - 7500 square feet up to 3000 square feet each

Table 3
Secondary School Program Standards

Program spaces for a secondary school shall be shared in by the Commonwealth if they fall within these ranges. A variation of 5% is permitted.

Classrooms 1. Small Group Seminar 2. Regular Interchangeable (20-30 pupils) 3. Large Group (80-125 pupils)	300 - 500 square feet 750 - 850 square feet 1500 - 2000 square feet
Computer Labs/Work Stations	30 square feet per work station
Art 1. General Area (storage not included) 2. Specialized Areas (storage not included) 3. Storage	1200 - 1400 square feet 600 - 1200 square feet 100 -200 sq. ft./art room
Music 1. Rehearsal (band, chorus, etc.) 2. Theory & Choral 3. Practice Rooms 4. Ensemble Rooms	1400 - 1600 square feet 900 - 1200 square feet 75 -130 square feet up to 200 square feet each
Office Technology	1200 -1400 square feet
Family & Consumer Science	1200 -1400 square feet
Technology Education 1. Unified Lab 2. Technical Illustration	Up to 100 sq.ft./pupil each lab Minimum 2000 square feet.

(computer aided drafting)	1200 -1400 square feet
Science 1. Lecture-Laboratory 2. Demonstration/General Science	1000 - 1200 square feet 900 - 1000 square feet
Cafeteria	15 square feet per pupil computed to accommodate no more than 1/2 nor less than 1/3 the planned enrollment
Physical Education 1. Gymnasium (2 stations) 2. Additional Teaching Stations	6200 - 7500 square feet 1200 - 3500 square feet
Library (Instructional Materials Center) Reading room - up to 15% of enrollment x 40 square feet - maximum. (Other areas may be added, if planned, i.e., office, conference, etc.)	
Auditorium Seating for not more than the planned enrollment nor more than 1000 persons. If the planned enrollment exceeds 1000, <u>allow 7 square feet per person maximum.</u>	
Administration	up to 1500 square feet
Guidance	800 to 1000 square feet
Health	500 - 1000 square feet

(5) Space Allowance Exceptions:

(a) The Commissioner may approve reasonable departures from the gross square footage requirements to accommodate proposed additions to existing school buildings when such departures be consistent with the intent of 603 CMR 38.00 to provide adequate, safe, cost effective and programmatically sound school projects.

(b) The applicant shall assure that any capital construction project provides adequate and appropriate space to accommodate early childhood programs as appropriate and students with special needs or linguistic minority students who lack for space are not currently served in regular public school facilities. The Commissioner may grant an exception to the space allowance limitations if needed to accomplish these purposes.

(c) In the case of open plan buildings, the Commissioner may approve reasonable variations from the size of the listed project spaces with adjustment in gross project allowances where it can be demonstrated that the planning for such facility reflects good

educational practice.

(d) Spaces for special education classes/programs will receive special consideration, in the discretion of the Commissioner notwithstanding the gross square footage allowances contained in 603 CMR 38.00.

(e) Other exceptions to the minimum and maximum program space allowances may be granted at the discretion of the Commissioner or the Board.

(6) **Space Computations.** Gross and net square footage and perimeter measurements shall be reported with all preliminary, revised, and final drawings submitted for approval, and shall be computed according to the following methods:

(a) **Gross Square Footage.** The gross area of a building is the sum of all areas of the several floors, including mezzanines, stairwells, and basements having a floor slab and 7'6" or more headroom. Additionally covered walkways, roofed-over areas, or courts, and similar areas shall be included in the gross area at one half their actual area. All horizontal measurements shall be taken from the exterior face of enclosing walls, at the plane of the floor. The following shall not be included in gross area computation: basements having no floor slab or less than 7'6" headroom; pipe trenches; retaining walls; roof overhangs; exterior terraces; and courts open to the sky.

(b) **Net Square Footage.** The net area of individual spaces shown on approved educational specifications and included on the plans shall be measured from the inside face of enclosing walls and partitions. Wall thickness shall be excluded.

1. **Basic Instructional Spaces** (classrooms) shall include the net area of all non-specialized and special subject teaching areas, including directly-related preparation and equipment storage rooms. Do not include the area of such spaces as ancillary toilets, wardrobes, teachers' supply closets.

2. **Miscellaneous Educational Space** shall include the net area of miscellaneous specified or required educational space, such as gymnasium locker rooms, cafeteria dining areas, kitchens, administration offices, health service unit, guidance quarters, teacher workrooms, storage, community rooms and serving rooms.

3. **Other** square footage is determined by subtracting "Basic Instructional" and "Miscellaneous Educational" spaces, determined as above, from the calculated gross area. Thus, "Other" will include wall thickness; corridor stairways, and other circulation space; general storage areas; custodians' closets and receiving areas; toilets; and heating and mechanical spaces.

(c) **Perimeter.** The perimeter of a building shall be the sum of

lineal length of the enclosing walls (including piers, wall extensions and courts) taken at the plane of the floor level, including finished basements.

38.06: Cost Standards: Capital Construction

(1) Grants for capital construction shall be based on the following amounts per square foot for the cost of the general contract, design fees, allowable site preparation, site development, insurance, construction supervision, costs related to the issuance of notes and bonds, contingency amounts, and miscellaneous costs.

Elementary School	\$158.00 per square foot
Middle School/Junior High School	\$168.00 per square foot
High School	\$180.00 per square foot
Vocational School	\$192.00 per square foot

(2) Grants for capital construction projects may also include not more than \$15.00 per square foot for furnishings and equipment.

3) For the purpose of calculating the state construction grant, the estimated approved cost and the final approved cost for a school project shall not exceed the cost that would result by multiplying the gross square footage per pupil by the planned enrollment and by multiplying the result by the established cost per square foot as set forth 603 CMR 38.06(1) and (2). Said costs per square foot shall apply to projects for which the general contract work begins on or after January 1, 2001. The Commissioner may recommend to the Board that this requirement be waived in exceptional circumstances. If the project cost estimate exceeds the approved cost limit and the applicant believes a waiver is warranted, the applicant must submit a waiver request before soliciting construction bids. Waiver requests submitted after the general contract has been awarded should be limited to extraordinary situations which arise during construction and which could not have been reasonably anticipated during the design process. All waiver requests must include documentation demonstrating that the bid process was or will be fair, open, and cost-effective.

(4) The provisions of 603 CMR 38.05 and 38.06 shall not be deemed to preclude a city, town or regional school district from including in an approved school project such facilities or design as it determines, in addition to those required to conform to minimum program standards and costs. The cost of such additional facilities and design shall not, however, be included in the estimated approved cost and final approved cost on the basis of which the state construction grant is

calculated.

(5) In determining the allowable costs for an addition, the Board shall consider the nature of the approved spaces to be added, the nature of the required equipment and other furnishings, the relationship of the addition to other elements of the school and any factor which would cause the cost of the addition to exceed substantially the cost standard established for new construction, and may in its discretion allow for increased costs or a lesser amount. The intent of 603 CMR 38.06(5) is to make allowance for the varied nature of additions to school buildings.

(6) Capital construction projects may include the renovation and rehabilitation of existing buildings to accommodate changes in educational use, compliance with building code and other legal requirements, and such other work as may be approved by the Commissioner. In making such determination, the Commissioner shall take into account the age of the building, its current condition, past school construction funding for the building, the adequacy of the applicant's maintenance program, and any other relevant factors. The Commissioner shall establish appropriate cost limits for the renovation and rehabilitation portions of a capital construction project, subject to the overall limitations of 603 CMR 38.06(3).

(7) The value of a facility to be acquired shall be determined by the Board on the basis of the reports of at least two fee appraisers registered with the Attorney General and retained by the applicant. The final approved cost of combined acquisition, renovation and conversion work shall not exceed the equivalent costs in new construction.

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