



Committee: E&C
Committee Review: N/A
Staff: Nicole Rodriguez-Hernandez, Legislative Analyst
Purpose: Public Hearing
Keywords: #MCPS #Capital Projects

AGENDA ITEM #8
March 15, 2022
Public Hearing

SUBJECT

FY22 Capital Budget Supplemental Appropriation and Amendment to the FY21-26 Capital Improvements Program: Montgomery County Public Schools, \$602,651, Planned Life Cycle Asset Replacement (No. 896586) (Source of funds: Aging Schools Program)

EXPECTED ATTENDEES

None

DESCRIPTION/ISSUE

The Council will receive testimony on a FY22 capital budget supplemental appropriation and amendment to the MCPS FY21-26 CIP Planned Life Cycle Asset Replacement project. The source of funds for this project is the Aging Schools Program.

SUMMARY OF KEY DISCUSSION POINTS

- On January 13, the Board of Education (BOE) approved the requested appropriation and amendment request. The County Executive recommended approval on February 16. The ORESJ analysis can be found on ©8. The Council introduced this appropriation on March 1, 2022 but received the transmittal on February 16.
- This appropriation will fund eligible projects through the Aging Schools Program. The Aging Schools Program funds are from the State of Maryland; therefore, the appropriation will not affect the amount of County G.O. bonds or State aid already provided to these projects.
- The BOE request is a result of the Interagency Commission on School Construction's \$602,651 award for Montgomery County Public Schools.
- The Council is tentatively scheduled consider action on March 22.

This report contains:


County Executive Recommendation	©1
Draft Resolution	©2
Board of Education Request	©5
ORESJ Analysis	©8

Alternative format requests for people with disabilities. If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at adacompliance@montgomerycountymd.gov

MEMORANDUM

February 16, 2022

TO: Gabe Albornoz, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation #22-63 to the FY22 Capital Budget
Montgomery County Public Schools
Planned Life Cycle Asset Replacement: MCPS (No. 896586), \$602,651

I am recommending a supplemental appropriation to the FY22 Capital Budget and amendment to the FY21-26 Capital Improvements Program (CIP) in the total amount of \$602,651 for the Planned Life Cycle Asset Replacement: MCPS (896586) project. Appropriation for this project will fund eligible projects through the Aging Schools Program.

This increase is needed to support capital improvements in aging school buildings that would protect the school building from deterioration, improve safety of students and staff, and enhance the delivery of educational programs. The recommended amendment is consistent with the criteria for amending the CIP because it leverages non-tax supported funds. This amendment is supported by Aging Schools Program funds from the State of Maryland and will not affect the amount of County General Obligation bonds or State aid already provided to these projects.

I recommend that the County Council approve this supplemental appropriation and amendment to the FY21-26 Capital Improvements Program in the amount of \$602,651 and specify the source of funds as Aging Schools Program.

I appreciate your prompt consideration of this action.

ME:vmj

Attachment:

Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation #22-63
Interim Superintendent of Schools Request

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY21-26 Capital Improvements Program and Supplemental Appropriation #22-63 to the FY22 Capital Budget
Montgomery County Public Schools
Planned Life Cycle Asset Replacement: MCPS (No. 896586), \$602,651

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The Interim Superintendent of Schools requested a supplemental appropriation for the Montgomery County Public Schools' Planned Life Cycle Asset Replacement FY22 capital project as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
PLAR: MCPS	896586	\$602,651	Aging Schools Program

4. This increase is needed to support capital improvements in aging school buildings that would protect the school building from deterioration, improve safety of students and staff, and enhance the delivery of educational programs. In FY22, MCPS will add \$602,651 to the Planned Life Cycle Asset Replacement: MCPS project (No. 896586) using Aging Schools Program funds.
5. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY21-26 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Amount</u>	<u>Source of Funds</u>
PLAR – MCPS	896586	\$602,651	Aging Schools Program

This is a correct copy of Council action.


Selena Mendy Singleton, Esq.
Clerk of the Council

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

January 13, 2022

MEMORANDUM

To: Members of the Board of Education

From: Monifa B. McKnight, Interim Superintendent of Schools 

Subject: Fiscal Year 2022 Supplemental Appropriation Fiscal Year 2022 Capital Budget and Amendments to the Fiscal Year 2021–2026 Capital Improvements Program for the Aging Schools Program Funds

WHEREAS, On April 29, 2021, the Interagency Commission on School Construction approved the allocation of \$6.468 million in funding for the Aging Schools Program to those jurisdictions that will participate; and

WHEREAS, The Interagency Commission on School Construction approved \$602,651 for Montgomery County Public Schools; and

WHEREAS, The State Public School Construction Program requires that the approved Aging Schools Program projects be completed before reimbursement can occur; and

WHEREAS, A supplemental appropriation from the County Council is required to forward fund the Aging School Program projects; and

WHEREAS, The State Public School Construction Program will reimburse Montgomery County Public Schools for the entire cost of the projects once completed; now therefore be it

Resolved, That the Board of Education request a Fiscal Year 2022 supplemental appropriation and amendment to the Fiscal Year 2021–2026 Capital Improvements Program in the amount of \$602,651 to fund eligible projects in the Aging Schools Program; and be it further

Resolved, That a copy of this resolution be transmitted to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.


MBM:ESD:SPA:lmt:sr

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

January 28, 2022

MEMORANDUM

To: The Honorable Marc Elrich, County Executive
The Honorable Gabe Alborno, President, Montgomery County Council

From: Monifa B. McKnight, Interim Superintendent of Schools 

Subject: Transmittal of Board of Education Agenda Item #14.4

Recommended Fiscal Year 2022 Supplemental Appropriation Fiscal Year 2022 Capital Budget and Amendments to the Fiscal Year 2021–2026 Capital Improvements Program for the Aging Schools Program Funds

BOE Meeting Date: January 13, 2022

Amount: \$602,651

Type of Action: Supplemental Appropriation

MBM:ESD:SPA:AK

Attachment


Copy to:
Dr. Dawson
Mr. Adams
Ms. Karamihas
Montgomery County Office of Management and Budget

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

January 13, 2022

MEMORANDUM

To: Members of the Board of Education

From: Monifa B. McKnight, Interim Superintendent of Schools 

Subject: Fiscal Year 2022 Supplemental Appropriation Fiscal Year 2022 Capital Budget and Amendments to the Fiscal Year 2021–2026 Capital Improvements Program for the Aging Schools Program Funds

WHEREAS, On April 29, 2021, the Interagency Commission on School Construction approved the allocation of \$6.468 million in funding for the Aging Schools Program to those jurisdictions that will participate; and

WHEREAS, The Interagency Commission on School Construction approved \$602,651 for Montgomery County Public Schools; and

WHEREAS, The State Public School Construction Program requires that the approved Aging Schools Program projects be completed before reimbursement can occur; and

WHEREAS, A supplemental appropriation from the County Council is required to forward fund the Aging School Program projects; and

WHEREAS, The State Public School Construction Program will reimburse Montgomery County Public Schools for the entire cost of the projects once completed; now therefore be it

Resolved, That the Board of Education request a Fiscal Year 2022 supplemental appropriation and amendment to the Fiscal Year 2021–2026 Capital Improvements Program in the amount of \$602,651 to fund eligible projects in the Aging Schools Program; and be it further

Resolved, That a copy of this resolution be transmitted to the county executive and County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

MBM:ESD:SPA:lmt:sr



Planned Life Cycle Asset Repl: MCPS (P896586)

Category	Montgomery County Public Schools	Date Last Modified	06/22/21
SubCategory	Countywide	Administering Agency	Public Schools
Planning Area	Countywide	Status	Ongoing

	Total	Thru FY20	Rem FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
EXPENDITURE SCHEDULE (\$000s)											
Planning, Design and Supervision	17,622	7,547	-	10,075	1,575	2,500	1,500	1,500	1,500	1,500	-
Site Improvements and Utilities	14,445	10,945	-	3,500	500	1,000	500	500	500	500	-
Construction	142,196	89,287	1,470	51,439	8,744	12,288	8,000	7,469	7,469	7,469	-
TOTAL EXPENDITURES	174,263	107,779	1,470	65,014	10,819	15,788	10,000	9,469	9,469	9,469	-

FUNDING SCHEDULE (\$000s)											
Aging Schools Program	5,877	4,134	537	1,206	603	603	-	-	-	-	-
G.O. Bonds	164,749	100,018	1,139	63,592	10,000	15,185	10,000	9,469	9,469	9,469	-
Qualified Zone Academy Funds	4,142	3,627	299	216	216	-	-	-	-	-	-
State Aid	(505)	-	(505)	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	174,263	107,779	1,470	65,014	10,819	15,788	10,000	9,469	9,469	9,469	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)				
Appropriation FY 22 Request		15,185	Year First Appropriation	FY89
Supplemental Appropriation Request		603	Last FY's Cost Estimate	185,249
Cumulative Appropriation		122,946	Partial Closeout Thru FY20	10,705
Expenditure / Encumbrances		-	New Partial Closeout	-
Unencumbered Balance		122,946	Total Partial Closeout	10,705

PROJECT DESCRIPTION

This project funds a comprehensive and ongoing plan to replace key facility and site components based on an inventory of their age and conditions. A comprehensive inventory of all such components has been assembled so that replacements can be anticipated and accomplished in a planned and orderly manner. Facility components included in this project are code corrections, physical education facility/field improvements, school facility exterior resurfacing, partitions, doors, lighting, media center security gates, bleachers, communication systems, and flooring. An FY 2019 appropriation was approved to continue this level of effort project. FY 2019 supplemental appropriation and offsetting reductions of \$2.5 million were approved from this project to the current revitalization/expansion project for Seneca Valley High School. An FY 2020 appropriation and amendment to the adopted FY2019-2024 CIP was approved to address building systems such as physical education facility/field improvements, school facility exterior resurfacing, partitions, doors, lighting, bleachers, communication systems, and flooring. An FY 2021 appropriation was requested to continue this level of effort project. However, due to fiscal constraints, the County Council, in the adopted FY2021-2026 CIP reduced the FY 2021 appropriation by \$5.185 million less than the Board of Education's request. For a list of projects completed during the summer of 2019, see Appendix K of the FY 2021 Educational Facilities Master Plan. An FY 2022 appropriation and amendment to the FY2021-2026 CIP was approved to continue this level of effort project and reinstate the expenditures removed from FY 2022 in the adopted FY2021-2026 CIP.

COST CHANGE

FY20 supplemental for \$96,000 in Qualified Zone Academy Funds. FY21 supplemental for \$602,651 in Aging Schools Program. FY21 supplemental in Qualified Zone Academy Funds for the amount of \$216,204.

FISCAL NOTE

Reflects MCPS correction for funding allocations prior to FY19. FY20 supplemental for \$96,000 in Qualified Zone Academy Funds. FY21 supplemental in Aging Schools Program for the amount of \$602,651. FY21 supplemental in Qualified Zone Academy Funds for the amount of \$216,204. **FY22 supplemental in Aging Schools Program for the amount of \$602,651.**

DISCLOSURES

Expenditures will continue indefinitely. MCPS asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION


FY 2019 -- Salaries and Wages: \$497K, Fringe Benefits: \$198K, Workyears: 6 FY 2020-2024 -- Salaries and Wages: \$2.485M Fringe Benefits: \$990K, Workyears: 30

MEMORANDUM

March 2, 2022

To: Jennifer Bryant, Director
Office of Management and Budget

cc: Gabe Albornoz, President
Montgomery County Council

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice 

Re: Racial Equity Impact Assessment (REIA) for Supplemental Appropriation: #22-63
MCPS Lifecycle Upgrades

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental Appropriation #22-63 MCPS Lifecycle Upgrades is unlikely to advance racial equity and social justice in the County. ORESJ recognizes the importance of school repairs and improvements in sustaining a healthy environment for all working and learning in schools. However, available information does not indicate that the students most impacted by racial disparities in school performance and opportunity attend either of these two schools at rates proportional to the demographic and service group makeup in the county. Additionally, the absence of data on students with disabilities and the lack of details about the repairs being undertaken limits ORESJ's ability to assess the extent to which repairs will address documented accessibility barriers in these schools, although elevator repairs in Brooke Grove elementary school will certainly have a positive impact. Given these observations and the absence of information regarding school selection process in this CIP, ORESJ does not believe that this set of projects are likely to address racial inequities or issues of accessibility in process or outcome.
- II. **BACKGROUND:** The purpose of Supplemental Appropriation #22-63 is to support capital improvements in two schools using Aging Schools Program funds. The two schools where improvements took place are Brooke Grove Elementary School and Sherwood Elementary

School. These improvements will protect the school building from deterioration, improve safety of students and staff, and enhance the delivery of educational programs.

Typically, to determine the extent to which a supplemental appropriation like this advances racial equity and social justice in the County, ORESJ would assess the process of school selection, the demographics of students, and whether there is evidence that the resources provided will reduce racial disparities and other forms of inequity.

At the time of this analysis, there was evidence that ADA compliance will inform the district’s planned lifecycle asset replacement and that projects are evaluated¹, but the specifics regarding how the two schools involved in this supplemental appropriation were selected was not available. ORESJ is, therefore, not able to assess whether the process was equitable or how historical inequities in school resource allocation were considered.

Regarding the students whose schools will be impacted, there is an underrepresentation of Hispanic/Latino students and Asian students compared to the County overall. In contrast, the percent of students who are White in Brooke Grove and Sherwood Elementary school is higher than the representation of White students in the County overall. Black students are underrepresented in Sherwood Elementary school and overrepresented in Brooke Grove Elementary school compared to the student population in the County overall. Similarly, there is an underrepresentation of students participating in ESOL and FARMS programs compared to the County overall. These differences suggest that the students experiencing the greatest disparities in school performance and opportunity² make up smaller shares of the student population in Sherwood Elementary School, and to a similar but somewhat lesser extent in Brooke Grove Elementary School.

MCPS Demographic and Service Group Statistics compared to Brooke Grove and Sherwood Elementary Schools, 2020-2021 School Year

Schools	Asian	Black/ African American	Hispanic/ Latino	White	Two or More Races	Participate in English for Speakers of Other Languages (ESOL)	Participate in Free and Reduced-price Meals System (FARMS)
Sherwood Elementary School	11.9%	18.8%	17.9%	41.1%	9.5%	10.9%	17.1%
Brooke Grove Elementary School	11.9%	27.%	18.8%	34.9%	6.5%	15.3%	24.9%

¹ Superintendent’s Recommended FY2023 Capital Budget Montgomery County Public Schools, Rockville, Maryland and the FY2023 -2028 Capital Improvements Program. Available at https://gis.mcpsmd.org/cipmasterpdfs/CIP23_EntireBook.pdf
² Elaine Bonner-Tompkins. MCPS Performance and Opportunity Gaps. Report Number 2019-4. December 2019. Available at: <https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/OLOReport2019-14.pdf>

Schools	Asian	Black/ African American	Hispanic/ Latino	White	Two or More Races	Participate in English for Speakers of Other Languages (ESOL)	Participate in Free and Reduced-price Meals System (FARMS)
Montgomery County Public Schools	14.1%	21.4%	32.4%	25.9%	5.3%	18.2%	33%

Source: Data on MCPS student demographics and service group characteristics is available here: <https://www.montgomeryschoolsmd.org/uploadedFiles/about/homepage/At%20a%20Glance2020-21.pdf>. Data on individual school demographic and service group characteristics was provided during the REIA information gathering phase by OMB.

In addition to the demographic and service group characteristics provided above, it is important to note that data about students with disabilities was not available at the time of this analysis. Students with disabilities face unique barriers in school despite advances in federal policy to promote inclusion³. The intersection of race, ethnicity, and socioeconomic status with disability exacerbates these barriers. While there are many factors affecting the outcomes of students with disabilities, it is without question that equitable, safe, and inclusive access to the physical environment is critical. In the past two years, an Accessibility Evaluation of MCPS was conducted to assess the compliance of facilities with requirements of 28 CFR Part 35, the 2010 ADA Design Standards for Accessible Design, and the State of Maryland Building Code sections related to accessibility⁴. In this study, Brooke Grove Elementary School had 57 items and Sherwood had 96 items needing work ranging from minor to major barrier removal⁵. It is unclear to what extent the repairs funded under this supplemental appropriation will include any of the items identified as barriers to accessibility in these schools.

At the national level, there is recognition that a lack of data about the condition of school buildings and funding for repairs and modernization is a major challenge to addressing competing demands for new schools and repairs with finite and stretched resources. Given the growth in student population in MCPS, this is likely a frequent challenge. The National Association of Secondary School Principals (NASSP) emphasizes the importance of school facilities within the larger context of educational opportunity, stating:

³ Katie Pak and Arianna Parsons. University of Pennsylvania Graduate School of Education. Perspectives on Urban Education. “Equity Gaps for Students with Disabilities”. Spring 2020. Available at <https://urbanedjournal.gse.upenn.edu/volume-17-spring-2020/equity-gaps-students-disabilities>

⁴ Superintendent’s Recommended FY2023 Capital Budget Montgomery County Public Schools, Rockville, Maryland and the FY2023 -2028 Capital Improvements Program.

⁵ ADA Title II Assessment for Brooke Grove Elementary School. Prepared by EMG <https://ww2.montgomeryschoolsmd.org/departments/facilities/ada/reports/02518.pdf> and ADA Title II Assessment for Sherwood Elementary School. Prepared by EMG <https://ww2.montgomeryschoolsmd.org/departments/facilities/ada/reports/02501.pdf>

“School quality impacts recruitment and retention of effective leaders and teachers, student attendance, and the health of the entire school community. In 20 studies analyzed by the 21st Century School Fund, all but one found a positive correlation between student achievement and the condition of the school building when controlling for other student demographic factors.”⁶

Given the important link between the school environment and achievement, and known racial, ethnic, and service group disparities in school performance and opportunity in the County, attending to the condition of aging schools in an equitable manner has the potential to reduce disparities. While addressing aging school infrastructure is critical across the school district, the manner in which repairs are planned, prioritized, and implemented has the potential to make meaningful differences in the reduction of racial and service group disparities.

cc: Ken Hartman, Director, Office of Strategic Partnership, Office of the County Executive

⁶ National Association of Secondary School Principles. Top Issues in Education. Position Statements. School Facilities. Available at <https://www.nassp.org/top-issues-in-education/position-statements/school-facilities/>.