

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 1058  
Appropriations

(Delegate Carter, *et al.*)

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Baltimore City - School Closures - Consultations

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This bill requires the Baltimore City Board of School Commissioners (BCBSC), before it votes to close a school not slated for closure under the board's 10-Year Plan, to (1) conduct three public meetings in various geographic locations in the city to receive public testimony and (2) consult with the Parent and Community Advisory Board.

The bill takes effect July 1, 2014.

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Fiscal Summary

**State Effect:** The bill does not directly affect State finances; to the extent that the process specified in the bill disrupts the notification and approval processes for disposition of school property in State law and regulations, there may be operational effects on the Public School Construction Program and Board of Public Works (BPW).

**Local Effect:** No direct effect on Baltimore City Public Schools (BCPS) finances; the process specified in the bill may disrupt existing BCBSC processes for the closure of school facilities.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** With the approval of the State Superintendent, a local school board may transfer any land, school site, or building no longer needed for school purposes to the county; State regulations require that BPW or the Interagency Committee on School Construction (IAC) – depending on the nature and size of the property –

approve, disapprove, or conditionally approve such transfers. Once the property is transferred to the county (including Baltimore City), the county may sell, lease, or otherwise dispose of the property, again subject to BPW approval. In specified circumstances prior to the transfer or disposition of a former school building, the county must reimburse the State for any outstanding State debt paid for the construction or renovation of the school.

Each local school board is required to establish procedures to be used in making decisions to close schools. The procedures must ensure that consideration is given to specified factors, and must include, at a minimum, that (1) a public hearing is held to allow concerned citizens to submit their views orally or in writing and (2) adequate notice is given to parents and guardians of students at the school. Adequate notice must include written notification of the schools under consideration for closure in at least two newspapers with general circulation. The newspaper notification must include procedures that the local board of education will follow in making its decision, and it must appear at least two weeks in advance of any public hearing. Except in emergency circumstances, the decision to close a school must be announced at least 90 days before the date the school is scheduled to be closed, but not later than April 30 of any school year.

Chapter 647 of 2013 dedicated State and local funding sources to support a \$1.1 billion public school construction and revitalization initiative for Baltimore City. Included in Chapter 647 was a requirement that Baltimore City, IAC, BCBSC, and the Maryland Stadium Authority enter into a four-party MOU to establish a framework for completion of the initiative. The MOU was completed and signed in September 2013, and BPW approved the MOU in October 2013.

The basis for the construction initiative is a 10-Year Plan developed by BCPS for the closure, replacement, or renovation of every building owned by BCBSC, which was issued in November 2012. The 10-Year Plan includes vacating 26 buildings, substantially renovating or replacing 49 buildings, and renovating 87 buildings (including 22 with additions). Phase 1 of the plan, projected to cost about \$1.1 billion and last about six years, addresses the bulk of the \$1.4 billion of the system's most pressing deficiencies, including constructing 15 new or replacement buildings, renovating approximately 30 to 35 school buildings, and closing at least 26 schools or buildings.

Based largely on the 10-Year Plan, Exhibit 6 of the MOU lists the following buildings as originally slated for closure and the year the school will close (although some buildings will remain available for swing space use for several years after their closure):

1. Garrison Middle (2013)
2. Laurence G. Paquin (2013)
3. Patapsco (2013)
4. Waverly Middle (2013)
5. Winston Middle (2013)
6. Lombard (2013)
7. Harbor City West (2015)
8. Southeast Building (2016)
9. Alexander Hamilton (2017)
10. Claremont Special Education High (2017)
11. Fairmont Hartford Building (2017)
12. Langston Hughes (2017)
13. Northwestern High (2017)
14. Rognell Heights (2017)
15. Samuel B. Morse (2017)
16. Lakewood Center (2018)
17. Lois T. Murray (2018)
18. Sarah M. Roach (2018)
19. Sharp Leadenhall (2018)
20. Westside Elementary (2018)
21. Joseph C. Briscoe (2019)
22. Westside (Edmonson Westside Skill Center) (2018)
23. Thurgood Marshall (2020)
24. William Pinderhughes (2013)
25. William C. March (2013)
26. Independence Charter (2017)

BCBSC approved changes to the 10-Year Plan on December 17, 2013, that will alter the list; Harbor City West will not close in 2015 and at least one other building (CORPS) will be closed. The process to formally amend the 10-Year Plan and update Exhibit 6 of the MOU has not yet been completed.

As required by the MOU, BCBSC approved new facility utilization targets in December 2013; the targets phase up from the 77% utilization level in school year 2012-2013 to 86% by school year 2019-2020. The Public School Construction Program and Baltimore City both advise that, in order to meet its target, BCBSC may need to close more than the 26 schools currently listed in the MOU.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 994 (Senator Gladden) - Rules.

**Information Source(s):** Baltimore City, Public School Construction Program,  
Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 2014  
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