Workgroup on the Assessment and Funding of School Facilities

Delegate Maggie McIntosh, Chair

Wednesday, December 1, 2021
3:00 p.m.
Virtual Meeting

Agenda

I. Call to Order and Chairs' Opening Remarks

II. Revolving Loan Fund Decisions

Michael Rubenstein, Principal Policy Analyst, Department of Legislative Services

III. Cost-share Formula Decisions

Rachel Hise, Lead Principal Analyst, Department of Legislative Services

IV. Facilities Assessment Decisions

Bob Gorrell, Executive Director, Interagency Commission on School Construction

Michele Lambert, Senior Policy Analyst, Department of Legislative Services

V. Closing Remarks and Adjournment

Local Share Revolving Loan Fund

Draft Recommendations

1. Rename the fund as the School Construction Revolving Loan Fund

2. Clarify in statute that loan funds may be used to forward fund State and/or local shares of projects that have received planning approval from the Interagency Commission on School Construction (IAC)

    a. Projects must have received planning approval from IAC

3. Recommend $50.0 million PAYGO allocation in FY 23 to capitalize the fund

    a. Additional funding: FY 24 $20.0 million, FY 25 $10.0 million, FY 26 $10 million
    b. Fund is a nonlapsing special fund – if demand is not high in the first few years, those funds will still be available going forward
    c. Loan repayments will provide funding to meet ongoing needs

4. Eligibility to be determined by IAC based on statutory criteria

    a. Priority should be given to counties that have not forward funded in recent years and that have limited debt capacity

5. Require repayment with no interest within five years of loan disbursement

    a. Allow waivers from the five-year limit to counties that have not received sufficient State funding to repay the loans at the end of five years.

6. Allow loan funds to also be available to support both Capital Improvement Program and Built to Learn projects

School Construction Cost-share Formula

Draft Recommendations for Calculating the State Share Beginning with FY 25/26

1. Update the formula's components that are tied to Blueprint funding formulas to align with the Blueprint
   a. Foundation Formula
   b. Guaranteed Tax Base

2. No recommended changes
   a. Enrollment growth component
   b. Free and reduced-price meal (FRPM) percentage (school system)
   c. "One Maryland" components
   d. Local school construction effort component
   e. 50% minimum State share/100% maximum State share

3. New component for Concentration of Poverty schools (by project)
   a. Add 10 percentage points for schools with 80% or more FRPM students
   b. Add 5 percentage points for schools between 55 and 80% FRPM
   c. For schools at the minimum State share, percentages are added to 50%

4. New component for incentives (by project)
   a. Add 5 percentage points if the most recent school maintenance-effectiveness assessment rating is Good or Superior OR the rating is Adequate *and* the school's current School Facility Assessment percent of expected useful life is 100% or greater
   b. Add 5 percentage points if the estimated total cost of ownership is at least 15% below the State average
   c. For schools at the minimum State share, percentages are added to 50%

5. New components for projects (3 & 4) are stackable, *i.e.*, a project could receive an add–on for 3a/b, 4a, and 4b

6. Cap State share decrease at 5% for each 2-year cycle

Decision Points Related to the School Facilities Assessment

1. Changes in the Assessment Collection	1A. Require the collection of data on: I. Sufficiency standards: • Humidity (proxy for mold) • Temperature • Co2 • Lead paint • Asbestos • Kitchen sanitary equipment • Acoustics • Lighting • Emergency communication systems • Health room attributes II. Lack of a building system or asset in a school: • Central Air Conditioning • Heat III. Any additional requirements? • Lab spaces and safety equipment for labs • Technology and computer science spaces • Potable water • Maintenance data

	1B. Clearly identify ways LEAs can be more involved to create a better dataset: I. IAC create a process for LEA reassessment of a school; II. Require LEA to be present for an assessment; III. Require LEA to tell contractors and IAC certain information about buildings e.g., items listed in 1A; and IV. Any additional requirements? 1C. Should the assessment capture a nonfunctioning asset or building system? I. Yes, capture the functionality of all building systems/assets; II. Yes, capture the functionality of certain building systems and rely on remaining useful life determination for other building systems; or III. Rely on remaining useful life assessment in determining functionality of a system or asset. 1D. Require IAC to publish Educational Sufficiency Standards in regulation.
2. MDCI	2A. Require IAC to propose MDCI categories and weights in regulation prior to use of MDCI in any funding decisions. 2B. Prohibit IAC from publishing MDCI categories and weights in regulation before December 1, 2024. 2C. Require MDCI to include certain priorities in certain categories.
3. Master Facility Asset Library	3A. IAC not authorized to use assessment data in any funding decisions until IAC has created an integrated data system for the assessment data, including preventative maintenance schedules, where all details are accessible by local education agencies. 3B. Any additional recommendations related to the Library?

4. Use of the Assessment	**WG: No data from the assessment may be used for funding decisions by IAC until at least fiscal year 2025** 4A. Priority Fund – The purpose is to "address facility needs of the highest priority in the State." I. Workgroup could decide to leave statute as is; II. Workgroup could describe in more detail overall intent of the Priority Fund; or III. Workgroup could clearly define what "highest priority" in the State means: a. Schools at the top of the MDCI list; b. Schools that fall within top MDCI categories; or c. Systems identified in the assessment. IV. What date should the Priority Fund begin? a. There should be a full cycle of assessments before the Priority Fund begins. b. Extend the Healthy School Facility Fund to FY 26 and start the Priority Fund in FY 27. 4B. Authorize IAC to use certain data from the assessment for other IAC programs in certain fiscal years. I. Require IAC to publish regulations if IAC wants to use assessment data in any other funding decisions; II. Prohibit IAC from using assessment data in other program funding decisions until a certain fiscal year; or III. Authorize or prohibit the use of assessment data if not related to a funding decision.

5. Accountability of Assessment Data	5A. Extend workgroup until funding decisions on assessment begins; 5B. Let workgroup sunset lapse and require IAC to: I. Submit certain documents through budget requests and restriction of funds; • JCR report on what sufficiency standards are going to be used in the 2021 assessments; • JCR report on IAC processes for LEA involvement in the 2021 assessments; • JCR report on data dictionary; • JCR report for updated data sets on certain dates, including IAC proposed MDCI categories and weights; • JCR report on how FCI is calculated; and II. Publish certain regulations before taking any actions; or 5C. Require a new workgroup be appointed a year before the assessment results could be used in funding decisions.

Interagency Commission on School Construction

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November 29, 2021

The Honorable Maggie McIntosh
Chair, Workgroup on the Assessment and Funding of School Facilities
The Maryland General Assembly
121 House Office Building
Annapolis, MD 21401-1991

Dear Delegate McIntosh,

Please accept this letter as a response to the Workgroup's concerns regarding the Initial Statewide Facilities Assessment (SFA), as requested in your November 15, 2021 letter. The Workgroup's questions and IAC responses are below.

1. **How were buildings assessed?**
   Answer: The IAC provided starter school inventory and enrollment data from Maryland State Department of Education records to the LEAs. LEAs confirmed the starter inventory and provided a starting data set for assets/attributes and a list of spaces and their use assignments, including floor plans. Assessors for contractor Bureau Veritas (BV) then conducted site visits over the course of eight months in late 2020 and 2021. These site visits included measuring/confirming spaces, confirming or logging attributes of spaces, and assessing the condition of each building system component. This was followed by a quality-assurance/control phase in which LEAs reviewed the assessment data and could request changes/corrections on condition and space sufficiency, which were reviewed by BV.

   a. **Were local education agencies (LEA) present at each assessment?**
      Answer: LEA representatives were invited to be present at each assessment. In most cases, LEA representatives escorted the assessors to provide answers to any questions the assessors might have and to satisfy pertinent LEA security requirements.

   b. **What was the preparation and communication process between the LEAs, contractors, and the Commission prior to the assessment?**
      Answer:
      i. On May 30, 2019, the IAC briefed LEAs on the planned SFA and provided a list of the data elements that the IAC expected that it would request from LEAs in advance of the SFA site visits. This list included "O. Descriptions of existing structural, safety, or health-related problems or issues affecting each facility;" and "P. Descriptions of any existing issues threatening the delivery of educational program(s) that are affecting each facility."
      ii. On Sept. 19, 2019, the IAC presented an advance briefing to LEAs and provided documents regarding the central components of the SFA, including the FCI formula and

calculations; the sufficiency assessment process; and the Maryland Condition Index (MDCI) calculation including the draft category weights presented in the RFP.

iii. On October 6, 2020, an initial briefing was held for all LEAs at which main team members were introduced and LEAs were provided with an anticipated schedule, a list of data requested from each LEA, and an example of the assessment process.

iv. On October 15, 2020, an FAQ document was produced and sent out based on questions received from LEAs during the October 6 meeting and afterwards.

v. On January 13, 2021, another all-LEA meeting was held to reiterate the provided process information and to describe the quality-assurance process.

vi. Prior to the start of each LEA's site-visit period, BV held individual kickoff meetings with each LEA's stakeholders, further discussing the data needed, scheduling, and the assessment process.

c. **How did the assessment assess systems that do not exist in a school?**
Answer: If the assessor was made aware that a critical building system was needed and missing, the deficiency was captured and reflected in the observed Remaining Useful Lifespan (RUL) figure for that major building system category. For example, schools fully or partially without air conditioning systems had an "Add Cooling Capacity" deficiency line item added. The instructions to the assessor from the Sufficiency Standards that guided the assessment included the statement that, "***[w]here present***, building systems in a school facility must be in working order and capable of being properly maintained." The assessment assumed that facilities were built with systems and equipment that varied based upon when they were built, but that life, safety, and health improvements were often made to facilities over time. The Sufficiency Standards provide the research-based environmental parameters widely considered necessary to make a healthy, safe, and educational learning environment and are agnostic as to which specific systems are used. A checklist-type verification to ensure LEA building systems concerns for each school would have better ensured that missing necessary building systems were captured as deficiencies in the initial assessment.

d. **How long were contractors required to be at each school for the assessment? [and]**

e. **Concerns were expressed about preparation of contractors, lack of presence for LEA staff, insufficient time at each school**.
Answer: Because the size, type, and condition of the schools can vary significantly, the duration of assessments was expected to vary (and did vary) considerably. The IAC expected the time spent at an assessment to vary based upon a number of factors, including the extent to which an LEA was able to provide detailed system information prior to the assessment, the size of the facility, the age of the systems, etc. There was accordingly no time requirement established, and assessors were expected to use their professional judgment in determining how much time would be needed to obtain the data and make the determinations called for by BV's rubric. Most assessments were 3 to 5 hours long. The IAC will follow up on any specific assessments for which the LEAs report that they feel an insufficient amount of time was taken. The IAC or BV will

also follow up to conduct any needed reassessments or collect additional information as necessary.

2. **How is the remaining useful life of a system calculated?**
   Answer: Remaining Useful Lifespan (RUL) is determined by the professional judgment of trained facility assessors based upon observations on-site and supplemented by information provided by LEAs either anecdotally as part of the facility walk-through or during the QA process.

   a. **Is maintenance data used to calculate the RUL?**
      Answer: Reactive maintenance data, such as downtime frequency and the time since the last failure needing repairs, can be factored into the assessor's determination of remaining useful lifespan, and was used where provided by the LEA.

   b. **Was functionality included in the RUL calculation?**
      Answer: RUL can be considered a measure of functionality to an extent. While not explicit, an asset with fewer years in its RUL can be considered to be more prone to failures, less reliable, or otherwise suffering from reduced functionality. A non-functioning asset would have an RUL of zero (0.0).

      i. **LEAs had concerns about lack of investigation by contractors to determine if a system was functioning and lack of consistency and/or training to determine the functionality of a system for the calculation to be accurate.**
      Answer: In the absence of a forensic engineering analysis, assessors could not necessarily conduct a complete assessment of the functionality of each system. Although the functionality of some systems is apparent on their surface, the functionality of other systems is not apparent without invasive observation and/or testing. Each of the assessors were trained by BV using rubrics that provided clear guidance as to how to evaluate the evidence visible to the assessors in a standard walk-through of a school facility, and how to apply their professional judgment within the standardized guidelines provided.

   c. **LEAs had concerns that the RUL calculations are inconsistent and inaccurate reflections of the remaining useful life of a system.**
      Answer: By its nature, the observed RUL of a system is a judgment call based upon professional experience, and is likely to vary to some degree across assessors. However, to keep the variability of RULs assigned to a given system condition within a range that would maintain the comparability of the condition of one school against another within the state, BV created a rubric containing rating bands and associated condition descriptions and photos and trained all of their assessors on the rubric and process to be used. In addition, BV's team leads reviewed the assessment results of each assessment and made changes if they saw assigned RULs that did not match the photos taken on-site and uploaded into the record. Finally, each

LEA was provided the RUL figures for their review post-assessment and were asked to provide any suggested changes that they felt were necessary. LEAs were also asked to provide any condition- or maintenance-related information that they felt should be factored into an RUL determination.

3. **How was the size of the school assessed?**
   Answer: The full gross square footage of a school was not determined as part of this assessment. Assessors determined the use of spaces, then measured them to determine a total area of space types. These space types include: General Classrooms, Technology and Computer Science spaces, Science Classrooms, Fine Arts Classrooms, Library, Gymnasium, Cafeteria, Career and Tech Ed, Admin, Storage, and Workspaces.

   a. **LEAs had concerns that different contractors did their size calculation for classrooms differently.**
      Answer: BV took a standardized approach to space measurement, which first involved calculation of space dimensions based upon available floor plans and drawings; and then confirmation of those dimensions by assessors on-site via measurement of the spaces. If drawings were not available or were incomplete, the assessors were required to measure the spaces on-site. If drawings showed multiple spaces of the same dimensions, assessors were only required to measure one of the spaces in order to confirm the dimensions of all of the spaces in the grouping.

4. **Are assets for a system being averaged to create a FCI?**
   Answer: Assets that make up a system are weighted by current replacement value (CRV) cost (based upon RSMeans) when rolled up into a system's FCI, and an overall FCI for the facility. An HVAC system might have: Boilers (and associated pumps/tanks), Chiller/Cooling Tower system, 4-Pipe Distribution system, Air Handlers, and various small split systems. Each component would then have a weighted FCI calculated using the observed RUL and CRV. This weighted FCI would then be used for the rolled-up FCI for the system.

   a. **Can a LEA see the supporting information to see how the FCI is calculated?**
      Answer: Yes, it is the IAC's intention to make all relevant data available to LEAs and foster their understanding of how FCI is calculated. Towards this end, the IAC published the FCI formula, sample expected useful lifespan (EUL) values, and the calculation process in the 2018 RFP and in subsequent briefings with the LEAs.

   b. **Concerns that a newer asset for an older system would misconstrue the FCI of a system.**
      Answer: If an asset of a system has a proportionately high CRV of the total CRV of the system, that system's FCI has a greater effect on the FCI of that system. For example, a new chiller and process piping of a facility's HVAC system would lower (better) the FCI score much more than would the replacement of the system's circulation pumps and building-automation system.

5. **How was enrollment calculated for the assessment?**
   Answer: Enrollment data for each school was supplied by MSDE. A straight-line 5-year projection was derived from the previous five years, but with the enrollment from SY 2019-2020 queued up in place of that from SY 2020-2021 to prevent the pandemic-induced enrollment decline in SY 2020-2021 from skewing the projection. Comparing this projection with the enrollment projections generated by the Maryland Department of Planning to verify the LEAs' own projections has shown that the SFA projection methodology yielded a total statewide fifth-year future enrollment that is 2.4% higher than MDP's and an average LEA-level enrollment figure that is 2.1% higher than MDP's. The SFA projection methodology was used to provide a good proxy of growth at individual schools to estimate future enrollment to be used in estimating any future space deficiencies.

6. **Where [are] the non–space attributes sufficiency standards measured in the assessment?**
   Answer: The assessment was designed to review existing material, observe existing building systems, and measure those Sufficiency Standards items that could be accurately measured at the point in time the facility was visited. If identified by the LEA who know their facilities, the deficiencies were included.

   a. **If not, why?**
      Answer: Due to time and cost restraints, the required LEA input, and the IAC's interpretation of the highest need matched with roughly estimated cash flows to resolve deficiencies of no more than 5% of the highest needs each year of the 1,400 schools, the assessment was not a forensic engineering assessment which could easily cost $4.00 per square foot and take years versus the actual $0.04 cost per square foot and under-a-year implementation. This is because some non-space attributes such as temperature, humidity, CO2, lighting, and even acoustics vary throughout the seasons, time of day, occupancy load, and other factors. Other non-space attributes such as technology fixtures and equipment, in accordance with the standard equipment necessary to meet the educational requirements of the Maryland Technology Education Content Standards, and in high schools, the requirements of Maryland Advanced Technology Education electives where such electives are offered, can only be determined by the LEA. If, for instance, exhaust hoods were existing in a lab, then the easily observable rooftop fans were included in the assessment, but if the LEA had no hoods, the assessment assumed that the LEA did not need rooftop fans.

   b. **What, if any, non–space sufficiency standards were measured?**
      Answer: Assessors were instructed to observe each space against the parameters specified within the Sufficiency Standards. If an assessor observed a space that appeared outside those parameters, he was to indicate this in the collected data, and a supervising assessor was to assess the space to determine whether the space failed to meet the applicable Standard. If the LEA alerted the assessor to a concern, BV assessed the space accordingly and recorded the

results within the observed RUL assigned to the relevant assets and/or building systems.

c. **LEAs had concerns that non–space sufficiency standards capture many health and safety risks of a school and the intent was to include the standards in the assessment. Answer**: Many life-safety and health building systems such as working fire alarms and sanitary equipment in kitchens are regulated and inspected periodically by State agencies, and facilities are shut down if these critical systems are found to not be operating correctly. The Sufficiency Standards properly "fill in the gaps" and set the environmental and operational boundaries that are the greater part of the non–space related items. The Sufficiency Standards have been in place since 2018 for the protection of school occupants and the LEAs. As noted previously, if the LEA alerted the assessor of an issue either through the pre-assessment survey communication, at the pre-assessment meeting, or during the on-site assessment, the deficiency was measured or noted in the assessment. Subsequently, the results of the assessment were provided to the owners of the facilities for review and quality control/quality assurance and with the request that they provide any important information that they believed was missing in BV's description of the condition and sufficiency of the facility. In this way, the Sufficiency Standards were included in the assessment but the assessment was point in time and used the information made available to BV through LEAs' submissions and the on-site observations possible without engaging in forensic engineering analyses.

Please do not hesitate to contact IAC staff with any follow-up questions.

Regards,

Robert A. Gorrell
Executive Director
Interagency Commission on School Construction

Cc: Edward Kasemeyer, Chair, IAC
Cassandra Viscarra, IAC
Rachel Hise, Department of Legislative Services
Michele Lambert, Department of Legislative Services

Decision Points Related to the School Facilities Assessment
IAC Discussion Notes

1. Changes in the Assessment Collection

1A. Require the collection of data on:

I. Sufficiency standards:

- Temperature, humidity (proxy for mold), CO2, and acoustics.
    - *Temperature, humidity, CO2 and acoustics cannot be measured at a single point in time because they change constantly in a building space as weather and occupancy conditions change. Measuring these items in a meaningful way requires frequent or ongoing measurement through a monitor that either reports data ongoingly or logs it. For all but acoustics, the cutting edge modern building automation systems (BASs) measure these and may be able to report data automatically and ongoingly, but most school facilities in MD do not have this robust BAS measurement capacity.*
    - *Portable data loggers to measure the temperature, humidity, CO2, and acoustics in a space would cost about $3,500 per set (for a single room), plus a database to receive and store data, the cost to place the devices, and the cost to monitor and report from the database.*
        - *Doing this for every space in a building would be cost-prohibitive for the State.*
        - *Providing an inventory of equipment, say 20 sets, that could be loaned to LEAs' that suspect non-conformance could be an alternative.*
        - *The IAC believes that the LEAs are the best possible reporters of their facility information and would recommend that the IAC work to implement a process of reporting so that issues that cannot be accurately captured during the point-in-time assessment can be documented and reported. This process can be conducted both at the time of annual data refresh of the assessment and also as needed if the LEA contacts the IAC due to an issue that arises outside of the assessment cycle.*
- Lead paint
    - *Lead paint must be contact-tested via samples to confirm lead content. Testing the large amount of square footage of painted surfaces that might need to be tested across all spaces in all schools would be cost-prohibitive for the State to execute.*
    - *The most viable solution would be for LEAs to use their facility records to identify which spaces are likely to be painted with lead paint (spaces built before 1977 and with that paint deteriorating and not encapsulated with non-lead paint or otherwise not renovated/remediated since then) and provide to the IAC 1) their internal analysis of the risk(s) and 2) their plan to manage any such risks.*
    - *Widespread existence of lead paint can be included in the IAC assessment data upon identification by the LEA.*

- Asbestos
    - *Same as lead paint above; except that 40 CFR Part 763, Subpart E required all identification by 1988 and to begin mitigation by 1989 and there are not likely to be asbestos hazards to school occupants. While there may be asbestos present in a building, only non-encapsulated friable asbestos that can become airborne requires remediation. As with lead, when a space is renovated/remediated, asbestos must be properly removed and disposed of.*
    - *Public school districts and non-profit schools are required to develop, maintain and update asbestos management plans and to keep a copy at each individual school. If a current record is desired, plans required by the federal Asbestos Hazard Emergency Response Act (AHERA) can be provided to the IAC and made available to this Workgroup, DLS, or the public as directed.*
- Lighting
    - *The lighting level in a space can be checked relatively quickly using handheld devices, although some inaccuracies may result from natural daylighting covering up deficiencies in the lighting system in a space depending upon the time of day and the weather conditions. Testing the center of each space in a school can be added at minimal cost to the SFA going forward.*
- Emergency communication systems
    - *Fire alarm and emergency-notification systems are typically one and the same and are tested regularly by the LEA for compliance with the State Fire Marshal's requirements. All were deemed to be in working order unless the LEA advised otherwise. The remaining useful lifespan of these systems was determined by the SFA.*
    - *Two-way communication systems are both varied in design and complexity and range from built-in intercoms to desktop equipment such as VOIP phones. All were deemed to be in working order unless the LEA advised otherwise. The remaining useful lifespan of the built-in systems was determined by the SFA.*
    - *In future, the IAC can provide a checklist of potential issues to assist the LEAs in red flagging building system functionality issues, which can be incorporated into the assessment results in conjunction with or separately from an on-site assessment.*
- Kitchen sanitary equipment
    - *Because this equipment varies in type and by usage and is regulated by the Maryland Department of Health, the SFA did not inventory these. The IAC considers the minimum building system components listed in the Sufficiency Standards to be minimums and only to identify issues that an LEA should consider remediating — not to close a facility that lacks them.*
    - *The assessment can provide a checklist of potential issues to assist the LEAs in red-flagging building system functionality issues, which can be incorporated into the assessment results in conjunction with or separately from an on-site assessment.*

II. Lack of a building system or asset in a school

- *The Sufficiency Standards (II.B. Building systems) state that "Where present, building systems in a school facility must be in working order and capable of being properly maintained. Building systems include roof, plumbing, telephone, electrical, and heating and cooling systems, as well as fire alarm, two-way internal communication, technological infrastructure, and security systems."*
- *With the exception of AC, all systems that can be considered critical (heating, plumbing, lighting, fire alarm) are mandatory by building code or MD regulating agencies if a facility is occupied, and the existing system will therefore be assessed in the SFA. IAC have included missing air conditioning in the current data set and have proposed a method of reporting by the LEAs to capture missing or insufficient cooling (or any other functional deficiency) in the SFA data ongoingly. With this change, we believe that all critical building systems (or lack thereof) will be captured by the SFA. In the current assessment results, missing air conditioning has been included when the unairconditioned classroom space amounts to more than 20% of the general classroom square footage in a school.*
- *The statewide facility assessment provided professional observed remaining useful life data and was to be supplemented by LEA provided information on what building systems are not capable of meeting the environmental conditions as defined by the Sufficiency Standards. In the future, the IAC can provide a checklist of potential issues to assist the LEAs in red-flagging building system functionality issues, which can be incorporated into the assessment results in conjunction with or separately from an on-site assessment.*

III. Any additional requirements?

- Lab spaces and safety equipment for labs
    - *Minimum square footages are included in the Sufficiency Standards for science labs. Furnishings and equipment, however, are unique to each program and — particularly in light of the accelerating development of virtual/distance learning in the sciences — must be determined by the LEA, so they are not conducive to specific statewide standards.*
- Technology-education and computer-science spaces
    - *Minimum square footages are included in the Sufficiency Standards for technology-education and computer-science labs. Furnishings and equipment, however, are unique to each program and — particularly in light of the accelerating development of virtual/distance learning in the technology-related fields — must be determined by the LEA, so they are not conducive to specific statewide standards. Some schools have determined that laptops in classrooms are preferable to separate labs and the IAC's Sufficiency Standards do not prohibit such delivery or prohibit the sharing/multi-use of lab spaces.*
- Potable water
    - *Per Maryland statute, water quality (including lead in drinking water) is regulated by the Maryland Department of Environment, which has promulgated regulations requiring LEAs to periodically test school facilities for lead in drinking water. LEAs do this testing and report to MDE separately from the facility assessment*

process. The Sufficiency Standards require only that a facility be safe for occupants, which some LEAs achieve through providing bottled drinking water due to the impractically high cost of re-plumbing a facility that should likely be replaced or fully renewed.

- Health room attributes
    - *The Sufficiency Standards include minimum square footages and specify a few minimum components and attributes for health services areas. The SFA did not specifically assess those spaces for fixtures, equipment, or attributes.*

1B. Clearly identify ways LEAs can be more involved to create a better dataset:

I. IAC create a process for LEA reassessment of a school;
II. Require LEA to be present for an assessment;
III. Require LEA to tell contractors and IAC certain information about buildings; and
IV. Any additional requirements?

The IAC agrees that LEAs are in the best position to provide some facilities information, as the assessment is a point-in-time and cannot capture all conditions that may vary based upon season, time of day, facility occupancy, and other variables. The IAC would be happy to work to implement a process of LEA reporting so that issues that cannot be accurately captured during the point-in-time assessment can be documented and reported in the LEA's reviews of the assessment results. This process can be conducted both at the time of annual review and refreshing of data and also as needed if the LEA contacts the IAC due to an issue that arises outside of the assessment cycle. The IAC also agrees that a period of time for LEA review, response, and potential reassessment is critical to the success of the annual assessment data release. The IAC's current draft annual schedule is below.

Step	Activity	Date
1	**Begin site visits** and the collection of condition and sufficiency data.	7/1 (FY "A")
3	**Import enrollment data** published by MSDE in Jan-Feb. of the year indicated to the right. This enrollment data is from the Sept. 30 count date of the year prior to the year indicated to the right.	6/15 (FY "A")
2	**Complete site visits** and the collection of condition and sufficiency data.	6/30 (FY "A")
4	**Roll the clock** for schools not updated via on-site assessments (mathematically age the FCI data (RULs) by one year and calculate the growth factors for all schools using the enrollment data entered from the Jan/Feb. MSDE release and any LEA data accepted by June 30.). July 1 date allows new assessments to be conducted with rolled data available for comparison.	7/1 (FY "B")
5	IAC staff analyzes results of clock rolling.	7/2 to 8/30 (60 days) (FY "B")
6	IAC staff publishes Preliminary Draft Ranked List. This gives LEAs 90 days before CIP amendments are due, in case the list affects prioritization in their fall CIP submission.	9/1 (FY "B")

7	IAC staff receives and reviews LEA feedback on Preliminary Draft List & conducts any needed reassessments	9/1 to 3/30 (FY “B”) (210 days)
8	IAC staff publishes Draft Ranked List for LEA review.	4/1 (FY “B”)
9	IAC adopts Draft Ranked List.	May IAC meeting (FY “B”)
10	IAC staff reviews any appeals and makes recommendations to IAC to resolve appeals.	Between May mtg and June mtg (FY “B”) (30 days)
11	IAC decides on any appeals and adopts Final Ranked List.	June IAC meeting (FY “B”)
12	**Publish Final Ranked Eligibility List for following FY Funding Program**. Rationale: Need to have this list available to LEAs to inform fall submissions of CIP and Priority Fund applications.	7/1 (FY “C”)
13	LEAs submit applications for project funding in CIP and other programs.	10/1 (FY “C”)
14	IAC approves target FY funding allocations .	6/30 (FY “C”)
15	Allocated funding becomes available for LEA use.	7/1 (FY “D”)

1C. Should the assessment capture a nonfunctioning asset or building system?

I. Yes, capture the functionality of all building systems/assets;

II. Yes, capture the functionality of certain building systems and rely on remaining useful life determination for other building systems; or

III. Rely on remaining useful life assessment in determining functionality of a system or asset.

1D. Require IAC to publish Educational Sufficiency Standards in regulation.

2. MDCI

2A. Require IAC to publish MDCI in regulations:

I. By a certain date; or

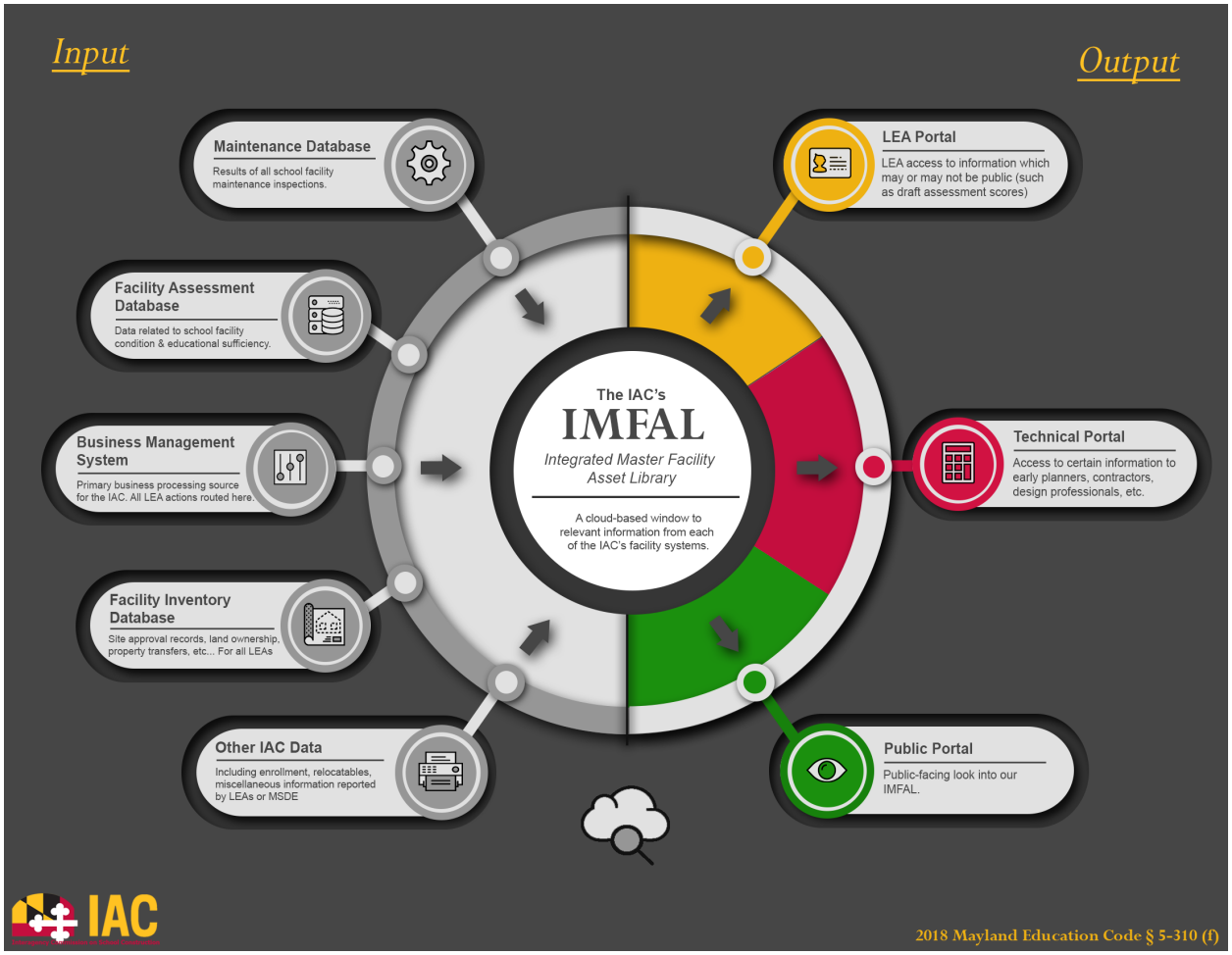
II. Prior to use in funding decisions.

2B. Require MDCI to include certain priorities in certain categories.

3. Master Facility Asset Library

3A. IAC not authorized to use assessment data in any funding decisions until the IAC has created an integrated data system for the assessment data, including preventative maintenance schedules, where all details are accessible by local education agencies.

IAC wants to clarify that although both are components of the IAC’s Integrated Master Facility Asset Library (see below), the SFA data presentation portal will be in a system/database separate from preventative maintenance schedules.



3B. Any additional recommendations related to the Library?

4. Use of the Assessment

WG: No data from the assessment may be used for funding decisions by the IAC until at least fiscal year 2025

4A. Priority Fund – The purpose is to "address facility needs of the highest priority in the State"

I. Workgroup could decide to leave statute as is;

II. Workgroup could describe in more detail overall intent of the Priority Fund; or

III. Workgroup could clearly define what "highest priority" in the State means:

a. Schools at the top of the MDCI list;

b. Schools that fall within top MDCI categories; or

The assessment results will provide an Maryland Condition Index (MDCI) score based upon a combination of educational sufficiency and facility condition factors which are weighted according to Workgroup prioritization. Although every school will have a score based upon assets that are categorized and then weighted, schools themselves are not expected to fall within weighting categories.

c. Systems identified in the assessment.

IV. What date should the Priority Fund begin?

a. Should there be a full cycle of assessments before the Priority Fund begins?

The IAC is currently making recommendations for allocations for funding year FY 2023. Based upon our advance timeline, we anticipate that requiring a full cycle of assessments before the Priority Fund begins would push implementation of the priority fund to FY 2028. IAC instead recommends delaying the use of the results of the assessment for funding allocations until the FY 2025 funding year and requiring the IAC to implement a method for incorporating facilities and sufficiency issues reported by the LEAs into assessment results.

4B. Authorize IAC to use certain data from the assessment for other IAC programs in certain fiscal years.

I. Require the IAC to adopt regulations if the IAC want to use assessment data in any other funding decisions;

II. Prohibit the IAC from using assessment data in other program funding decisions until a certain fiscal year; or

III. Authorize or prohibit the use of assessment data if not related to a funding decision.

5. Accountability of Assessment Data

5A. Extend workgroup until funding on assessment begins;

5B. Let workgroup sunset lapse and require IAC to:

I. Submit certain documents through budget requests and restriction of funds;

- JCR report on what sufficiency standards are going to be used in the 2021 assessments;
- JCR report on IAC processes for LEA involvement in the 2021 assessments;
- JCR report on data dictionary;
- JCR report for updated data sets on certain dates;
- JCR report on how FCI is calculated; and

II. Publish certain regulations before taking any actions; or

5C. Require a new workgroup be appointed a year before the assessment results could be used in funding decisions.