

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 354

(Prince George's County Delegation)

Ways and Means

Prince George's County - Nonschool Use of Public School Facilities
PG 505-22

This bill authorizes Prince George's County to regulate the non-school use of school facilities for public and community purposes and the manner by which costs associated with a non-school use are apportioned. In addition, Prince George's County may establish an interagency coordinating board, which must be appointed by the Prince George's County Executive and confirmed by the Prince George's County Council. The board may include the Chief Executive Officer of the Prince George's County Public School System, members of the Prince George's County Planning Board, and other members as provided in the local law. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: None.

Local Effect: Potential increase in Prince George's County expenditures to the extent that an interagency coordinating board is established. Any additional costs can be offset by fees imposed for the non-school use of public school facilities.

Small Business Effect: None.

Analysis

Current Law: Each local board of education must encourage the use of public school facilities for community purposes. School facilities may only be used at times that will not interfere with regular school sessions or other *bona fide* school activities. Local boards may charge a reasonable fee for heating, lighting, and janitorial services for the non-school use of public school facilities. Charges for commercial use of surplus space may also include

rent and recovery of capital costs. The person who applies for the use of school facilities is responsible for all damage to the property other than ordinary wear and tear. If the person does not pay for damage, the local board may refuse future applications by that person until the damage is repaired without expense to the local board. If a person does not leave the facilities as clean as they were before use, the local board may refuse to allow the person to use the facilities again.

In Montgomery County, non-school use of school facilities for public and community purposes and the manner by which costs associated with such use are apportioned may be regulated by local law consistent with use criteria established in State law. Montgomery County may also provide for an interagency coordinating board appointed by the county government. In Talbot County, the county board may enter into a lease with an organization that operates a community-based educational and recreational program to use public school facilities under certain conditions.

Priority for Day Care Programs

Each county board must give priority for the non-school use of school facilities to nonprofit childcare programs that comply with the rules and regulations of the Maryland State Department of Education. County boards may make space available during school hours and may lease any part of a public school property for the construction or operation of a childcare center under certain conditions. Each county board must adopt rules and regulations to implement priority use for day care centers. Any additional costs incurred in the administration of child care services must be paid by sponsoring organizations in accordance with an annual agreement made with the county board.

Local Fiscal Effect: Potential increase in Prince George’s County expenditures to the extent that an interagency coordinating board is established. Any additional costs can be offset by fees imposed for the non-school use of public school facilities.

Prince George’s County Policy on Non-school Use of Facilities

In Prince George’s County, school principals are responsible for making every reasonable effort to ensure that school buildings are available for use by non-school organizations. The principal is also responsible for reviewing standardized applications for non-school use of public school facilities. Prince George’s County administrative procedures specify that Board of Education meetings and activities, school-sponsored activities where no admission is charged, regularly scheduled PTA meetings, and Prince George’s County government activities may occur in public school facilities at no expense to the groups. All other groups using school facilities are charged a custodial fee based on current salary schedules. Currently, the county has contracted for the use of an online scheduling tool called FS Direct or “School Dude” to facilitate scheduling.

Montgomery County Interagency Coordinating Board

In Montgomery County, the Office of Community Use of Public Facilities was established to maximize the community's use of schools and other public facilities and to identify and facilitate activities and programs that respond to the community's needs without disrupting the instructional program of the public school system or county government. The office provides centralized scheduling of school facilities, parks, libraries, regional service centers, and government meeting rooms. The annual operating budget for the office totals \$8.5 million in fiscal 2022 and includes funding for 31 positions. These costs are offset by facility rental fees imposed by the county government.

Additional Information

Prior Introductions: HB 253 of 2020 was referred to the House Ways and Means Committee but was withdrawn prior to receiving a hearing.

Designated Cross File: None.

Information Source(s): Prince George's County; Prince George's County Public Schools; Department of Legislative Services

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