



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Budget and Taxation Committee
March 28, 2023**

**Board of Education
of Howard County**

**HB0458: FAVORABLE W/AMENDMENTS
Public School Construction - Programs, Approvals, and Administration –
Alterations**

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The Board of Education of Howard County (the Board) supports **HB0458 Public School Construction - Programs, Approvals, and Administration – Alterations** with amendments to reinstate grant funding and allow for flexibility in completing life cycle cost analyses.

HB0458 would make the Interagency Commission on School Construction (IAC) an independent State agency instead of an entity under the authority of the Maryland State Department of Education. The bill additionally makes changes to the process by which appointed members may be removed. The IAC is currently made up of nine members, including three ex officio members and six public members, with two each appointed by the Governor, the Speaker of the House, and the President of the Senate. The bill also codifies clarification that the Board of Public Works does not approve grants awarded by IAC.

Related to existing provisions that govern the authority and duties of the State Superintendent, HB0458 authorizes the State Superintendent's designee (in addition to the Superintendent) to approve school site or building purchases, construction activities, and contracts for school construction projects. The bill, as amended by both the House and the Senate, also increases the threshold for costs that must be approved, including for the remodeling of a school building if costs are more than \$1 million (up from \$350,000) and a change order for the remodeling, restoration, or construction of a school building if costs are more than \$50,000 (up from \$25,000).

Howard County Public School System's (HCPSS) Operations staff believes the above portions of the bill related to the governance and authority by the State would not have a direct impact on the operations of the IAC and the broader Public School Construction Program. The remaining section of the bill does, however, concern staff.

Specifically, HB0458 repeals the School Safety Grant Program (SSGP) and the Aging Schools Program (ASP) beginning in fiscal 2027. HCPSS has been allocated \$509,000 from the SSGP for the current year, which has been used for physical security items. Although a small portion of the HCPSS Capital Budget, the ASP annually allots Howard County \$87,776 that has typically been used to replace a playground at an elementary school.

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As a legislative platform, the Board supports adequate facility investments to ensure HCPSS can maintain safe and efficient physical spaces that are conducive to learning and close the gap in the total cost of facility ownership needs of the school system. For the 2023 session, the Board asked elected officials to consider the impact of the local match required for much of the capital funds received from the State. SSGP and ASP are two funding programs that don't require a local match and thus are instrumental in allowing local school systems to complete small but meaningful projects. The Board recommends the repeal of the SSGP and ASP be removed from HB0458 should the legislature find it prudent to make the above governance changes to the IAC.

As amended by the House, HB0458 contains a new provision that shifts responsibility for a one-time life cycle evaluation of alternative energy systems by the IAC or the Maryland Stadium Authority to local boards of education for each new construction or major renovation project. Such analysis can be done, however the new provisions require the local board to conduct this evaluation *during* the design development phase, after which, if the board determines no alternative energy systems are appropriate, the bill would also require the local board of education to report to the IAC why alternative energy systems were not appropriate for that project. The timing of this evaluation and report would be problematic, thus the Board recommends an amendment to indicate this would be done no later than design development or indicate the IAC cannot delay approval of a project based on the completion of the evaluation and submission of this report to give school systems greater flexibility.

With the above amendments, we urge a FAVORABLE report of HB0458 from this Committee.