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INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

LILLIAN M. LOWERY, Ed.D
CHAIRPERSON

February 25, 2015

The Honorable Larry Hogan
The State House
100 State Circle
Annapolis, MD 21401

Re: West Salisbury Elementary School; Replacement of Public School Facilities

Dear Governor Hogan:

I would like to thank you for the high level of attention and support that you have given to the maintenance inspection function of the Interagency Committee on School Construction (IAC). Although I was not present at the Board of Public Works meeting on Wednesday, February 18, I watched the video and appreciate the effort you and others have made to allow us to engage a qualified Program Manager. I'm very pleased to report that the candidate of interest has accepted our offer and we expect that he will join our team in mid-March. If all works out with this individual, we anticipate that we will make considerable progress in catching up with the reports on the past year maintenance inspections and will see substantial improvement in the program. I will be more than happy to report to the Board of Public Works at intervals about the status of maintenance and our progress as a result of your assistance.

We have been copied on a letter addressed to you by County Executive Bob Culver of Wicomico County regarding the proposed replacement of the West Salisbury Elementary School (WSES). We would like to provide additional information regarding this project. While the Public School Construction Program appreciates every effort made by public officials to reduce the cost of school construction, we would also like to comment on Mr. Culver's statement that boards of education should "maintain existing schools rather than always opt first for new construction." At the Board of Public Works meeting on January 28, 2015, there was discussion about the possibility that schools are being replaced prematurely due to a lack of maintenance. Among the many reasons that may justify the replacement of a facility vs. its renovation, the staff of the IAC has not found that a lack of maintenance on the part of an LEA is a factor.

West Salisbury Elementary School Replacement Project

For many years, Maryland has had a "fix-it-first" approach to major school construction, signifying that an LEA must provide a high level of justification that an existing facility cannot be renovated, or renovated with one or more additions, before the State will support a replacement of the facility. The Board of Public Works regulations on school construction and the procedures of the IAC require that local educational agencies (LEAs) submit a feasibility study when they propose to abandon a facility or replace more than 50% of the existing area of the school. COMAR 23.03.02.06.L(1); *Administrative Procedures Guide* Section 203 and Appendix 203. The feasibility study must show a minimum of two options, one of which must be a renovation, or renovation with additions, of the existing facility. The IAC review of capital projects and development of recommendations for funding takes this policy into account, and it is expressed in the language of our annual Capital Improvement Program (CIP) document:

LEAs are encouraged to pursue the following progressive options to address problems related to school overcapacity (excessive enrollment) or educational inadequacy:

- 1. Redistricting to use existing capacity in adjacent or nearby schools (projects for additional capacity will generally not be recommended for planning approval or funding where adequate capacity is available at adjacent schools);*

2. *Renovation of an entire facility or a portion thereof, with or without additions as justified by enrollment projections or by the educational program;*
3. *Replacement of an existing facility, preferably on the same site, based on a feasibility study to justify the abandonment or demolition of the existing facility; and*
4. *New school facility.*¹

Factors that enter into the IAC assessment of replacement vs. renovation (or renovation with addition) are the impact each option will have on the educational program (including disruption of the educational program during construction if phasing is required), on traffic and supervision issues on the site, on internal security of the school, and on costs.

On March 22, 2012, the Wicomico County Board of Education sent the IAC a feasibility study on the West Salisbury Elementary School that included two renovation and two replacement options. After thorough evaluation of this feasibility study, the Designees to the IAC concluded that replacement was justified because of the condition of the existing building and in order to support the educational program.^{2 3} This feasibility study is exemplary in its scope, level of detail, and thorough evaluation of the advantages and disadvantages of four facility options, ranging from a modest level of renovation with additions that would address the program deficiencies, to full replacement. Of greatest importance, the feasibility study analyzes the extent to which each of the options meets, or fails to meet, the educational program that has been developed for this elementary school. This is a crucial aspect of the evaluation: the investment of a large amount of funds to improve building systems alone may be justified in some instances, but when the existing building presents a barrier to the delivery of the educational program, then taxpayer dollars are generally better spent in carrying out a partial, limited, or full renovation, or a complete replacement of the facility.

Having studied the floor plan of the West Salisbury Elementary School, visited the building and site, and discussed the situation with school board officials, I conclude that neither an upgrade of selected building systems nor the renovation with additions option as presented in the feasibility study will adequately address the very visible and significant deficiencies of this facility. A systemwide facility assessment study conducted by WCPS in mid-2014 supports this determination: this facility achieved the second worst Facility Quality Index (FQI), a measure that combines a Facility Condition Index (FCI) and a Program Index (PI).⁴ West Salisbury Elementary is one of two schools in Wicomico County that remains without air-conditioning. The replacement of this school is also part of a larger effort by WCPS to reduce the total number of educational facilities in its portfolio. One strategy to accomplish this is to consolidate primary schools that serve grades PK to 2 with intermediate schools that serve grades 3 through 5. Not only will this consolidation serve the long-term goals of reducing operating expenses and eliminating or reducing near-term capital expenditures, it will also benefit students by eliminating a major transition within the elementary grades.

WCPS proposes West Salisbury Elementary as the first school to be replaced and enlarged under this program because of its FQI (and because the school with the lowest FQI is proposed to be closed in the near future and therefore should receive only minimal capital investment in the interim). WSES has been assessed as a well maintained facility: in the Public School Construction Program maintenance survey of March 17, 2011, the school received an overall rating of Good. This survey result is corroborated by my own on-site

¹ FY 2016 Public School Construction Capital Improvement Program, Section II, page 16 (available on PSCP website at www.pscp.state.md.us)

² The 427 page feasibility study is available at:
http://www.wcboe.org/administrative_services/facility_services/planning/documents/?portalId=3063562&pageId=3237850&objectId.312264=4660295&contextId.312264=3237851&parentId.312264=3237852.

³ If the Designees were to disagree with a local board's conclusion that replacement is the best option, the consequence would be reflected in a reduced amount of funding provided by the State. The State has no authority to prevent a local board from proceeding with the replacement if that is the board's decision.

⁴ Facility Condition Index (FCI) is a uniform, single-figure industry measure that is calculated as the ratio between the cost of correcting the deficiencies in a facility and the replacement cost of the facility; the higher the figure, the worse the condition of the facility. The Program Index (PI) measures "the education program adequacy by building size" (*Facilities Task Force Long-Range Planning Report*, July 8th, 2014, page 6)

observations and by the observations of a number of the visitors who toured the school with Mr. Culver on January 10, 2015.

The main points supporting replacement that we note about the existing West Salisbury Elementary School are:

1. Life Safety. The school was designed on a "pod" arrangement in which groups of three classrooms are located at the end of four dead-end corridors, which also provide spaces and hooks for students to store their coats, bags, etc. This arrangement does not meet contemporary fire code requirements: the dead-end corridors exceed the length allowed by code and the presence of flammable materials in corridors is now prohibited. Any substantial work on the building, for example the installation of a modern HVAC and/or electrical system, will likely trigger a code review in which the corridors and other life safety code deficiencies will be required to be corrected, potentially at great cost. Irrespective of this, the current situation does not represent a safe environment for the students in case of fire.
2. Supervision and Security. The dog-leg main corridor, in combination with the dead-end classroom corridors, generates a situation that is difficult to supervise. With a current student population of 304, this is not an overwhelming constraint; if the student enrollment expands to 650, however, then the traffic problems are likely to be very great. Moreover, from a security perspective the corridor arrangement is far from satisfactory, as an intruder would have many opportunities to hide. Current practice mandates that school corridors be straight, easily supervised from a single vantage point, and not have hidden areas that could harbor a malefactor.⁵
3. Core Areas. The cafeteria, administration area, and nurse's station are far smaller than is needed for even a small school, much less one that may expand to 650 students. These are core functions that should be centrally located so that all students can benefit from their location and can easily access them for after-school activities. None of these deficiencies could be corrected without very substantial renovation or renovation and extensive expansion work. In the case of the small administration area, the long narrow footprint not only fails to provide the room needed for guidance and conference functions, it also precludes the type of security vestibule that is a standard feature of school design today, and is especially important in the wake of the school shooting in Newtown, Connecticut in December 2012.

The media center, which is considered one of the most important learning spaces in a contemporary school, was originally housed in a classroom that was only slightly larger than a typical storage area. In order to gain needed space for a conventional classroom, the media center was moved to a relocatable building that is detached from the main building, and is frankly unacceptable by any standard: its small dimensions limit the size of the reading collection, it is poorly lighted, and it lacks the teaching space needed for classes that are regularly conducted in the media center. This situation could be corrected through a permanent addition, but only at the sacrifice of the central location that media centers usually enjoy in contemporary schools, because of the vital role they play in the daily career of virtually every student and teacher.

4. Accessibility. The building does not meet the accessibility requirements of the Americans with Disabilities Act. The feasibility study provides a very detailed analysis of the accessibility deficiencies of this school building. Even a casual visit reveals the lack of accessible toilets (one toilet has been renovated to meet minimum requirements), the insufficient width of doorways and lack of accessible hardware, and the lack of an accessible pathway to the media center and other instructional areas outside of the main building. Students with disabilities will be at a significant disadvantage in using this facility.

⁵ It is our understanding that this school was in lock-down in recent years because a shooter was active in the neighborhood; several people in the neighborhood lost their lives in the incident.

5. Ceiling Height. At about eight feet, the relatively low ceiling height of the existing building would be reduced even further by the installation of a contemporary mechanical system. While facility planners are finding that the VRV mechanical system eliminates the ductwork required for heating and cooling, the ductwork required to bring ventilation air to interior spaces is still a significant factor that affects the final ceiling height.
6. Traffic. The location of the building on the site represents a traffic hazard. Contemporary practice requires that bus and automobile traffic should be separated on the school site; this is particularly crucial at the opening and closing times of school. Where this separation is not in place, not only do we observe very intense congestion that can delay both types of vehicles, but we also see students crossing traffic lanes to access their parents cars. This is a highly unsafe condition. The current configuration of the access lanes does not allow for traffic separation, and it is doubtful that satisfactory options exist to separate the traffic without moving the building back from the street.
8. Energy Efficiency and HAZMATS. As with most buildings constructed in the same timeframe, WSES appears to have inadequate building insulation and thermal integrity; to correct this would involve significant challenges under new building standards. Similar to other structures from this era, WSES contains asbestos and lead products which would need to be addressed as part of any building solution.

From a number of perspectives, the existing facility does not offer its students a learning environment that is at all comparable to those of new schools or schools that have received full renovations. These deficiencies limit the educational opportunities available to this student body as compared to those available to their peers. The fact that the student population at this school currently has the third highest percentage of Free and Reduced Price Meal (FARM) students in the school system, and also appears to have a high percentage of students for whom English is not the language spoken at home, compounds the disadvantages faced by these students.

Many of these deficiencies could be corrected through extensive renovation; however, the feasibility study convincingly shows that the cost of renovation is at least as high as the cost of the replacement option on the same site. This results from the need to bring major portions of the existing building up to contemporary codes while adding substantial additional square footage to address contemporary program requirements. The renovation would need to be phased with the school in full occupancy, because WCPS has no space available in a nearby facility where the students could be temporarily housed; not only would phasing be disruptive to the educational program, it would result in substantial increases of cost. Based on the thoroughness and professionalism of the feasibility study, the staff of the Interagency Committee on School Construction is supportive of the replacement option that has been selected by the Board of Education for West Salisbury Elementary School

Maintenance of Replacement Schools

During the 12 years of my tenure with the State, staff of the four agencies that fall under the IAC has reviewed a very large number of requests for replacement of school facilities. As noted above, Maryland has a strong "fix it first" approach to school structures. However, there are many instances when replacement is justified. Many of the issues that justify the replacement of the West Salisbury Elementary School are also found often in the feasibility studies that we review:

- The existing building cannot meet the educational program requirements. Even with partial or complete renovation, classrooms or other program elements will be too small and cannot be economically expanded, programmatic elements are not located so as to promote a secure and orderly circulation pattern, or essential programmatic elements are missing altogether from the building and cannot be provided through additions due to site or other technical constraints. Many of Maryland's schools were built in the 1960s and 1970s when the open space pod concept was popular and facilities were constructed to low building performance standards (under a view that the baby boom was a short-term phenomenon and the buildings would be taken out of service when the boom passed). 50 or more years later, we are still using these deficient buildings, and we find that they

generally do not accommodate the needs of contemporary educational programs for small, flexible learning groups, special education inclusion, media centers that support a large number of computers, advanced science and technology facilities, and gymnasiums that must be separated from the cafeteria and other assembly areas.⁶

- The floor-to-structure height of the building will not allow the introduction of modern HVAC systems without lowering the ceiling to an unacceptable level.
- The location of the existing building on the site creates dangerous traffic patterns. Over time, changes in the neighborhood population and density, or changes to traffic patterns, can affect the safety of the original site layout.
- The existing building may present security concerns through the exterior arrangement of building masses or the interior circulation pattern.
- The cost of renovation is higher than the cost of replacement. Each situation must be studied in detail to determine which option will meet the educational program needs at least cost. Latent conditions may result in abatement, plumbing, HVAC, life safety or even structural costs that could not be anticipated in advance; and phasing of the work when a school must remain occupied during construction can result in a premium of from 15% to 25%, depending on the number of phases required.

It is our experience that before a school is submitted to the IAC for replacement, the options have been thoroughly studied by the local board and its staff. A number of boards of education, including those in Anne Arundel and Montgomery Counties, have internal policies that require their staff to study a range of renovation, partial replacement, and full replacement options to justify the scope of any particular project. We applaud these policies, as the thorough, comprehensive study of options from the perspective of educational suitability, community impacts, traffic patterns, and costs results in the best use of taxpayer funds in the fulfillment of a critical social need.

I am not aware of any project that has been submitted for replacement to the IAC because of a failure on the part of the LEA to maintain the building. An analysis of the overall school rankings for FY 2007 through FY 2014 shows that while the small and mid-size jurisdictions achieve a higher percentage of Superior and Good ratings, four of the large jurisdictions – Anne Arundel, Baltimore County, Howard, and Montgomery - have very respectable numbers in these categories, and relatively few schools rated Not Adequate or Poor.⁷ The enclosed chart shows the results. We attribute the difference in overall results between the large jurisdictions and the small and mid-size jurisdictions not to a failure by the large school systems to take maintenance seriously – we are very familiar with their staff and respect the efforts that they make – but to structural issues related to the size and complexity of their organizations. Budgets for maintenance, moreover, have been strained at all levels, and it may be that this constraint has a relatively larger impact on the large jurisdictions than on those that are small and mid-sized.

With respect to the other two large jurisdictions, Prince George's and Baltimore City, we have reason to be encouraged about the direction that their maintenance programs are taking:

- Prince George's County Public Schools. Under the leadership of CEO Dr. Kevin Maxwell and new leadership in facility administration since 2013, we have observed a marked improvement in many dimensions of facility administration: timeliness in bringing projects to bid, adherence to State regulatory requirements for review, close-out procedures, and maintenance. We attribute these improvements to increases of staff, organizational changes, improved communication among the various facility branches, and the overall effect of higher expectations among school system leaders.

⁶ Under Maryland law, LEAs are required to install a separate gymnasium when an elementary school is renovated or replaced in order to provide a full physical education program to students.

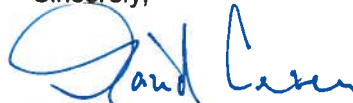
⁷ Please note that while the results for FY 2013 and FY 2014 have been included in this analysis, these reports have not been published.

- Baltimore City Public Schools. The approval by the Board of School Commissioners and the IAC of a Comprehensive Maintenance Plan (CMP) in September 2014 was a milestone event. The CMP establishes a definitive five-year timeline for increasing the maintenance budget by approximately \$3 million per year, increasing maintenance staff from 98 to 182 personnel, and carrying out a very significant reorganization that we believe will improve accountability and responsiveness. CEO Dr. Gregory Thornton has committed publicly to making these changes, and in order to assist City Schools with the operational changes needed, our Baltimore City Program Manager meets weekly with his counterparts in City Schools to discuss the status of the maintenance deliverables required under the Memorandum of Understanding as well as all related maintenance concerns. The IAC is fully informed on these issues and has been supportive of both the changes that are reported by City Schools and our efforts to monitor these changes.

I hope that this letter has helped to clarify the position of the IAC staff with respect to the West Salisbury Elementary School in Wicomico County, and the general status of maintenance in relation to the replacement of school facilities in Maryland. I would only add that Wicomico County Public Schools has developed a capital program that addresses building system replacements in a number of schools across the jurisdiction in a logically sequential, well-planned manner; in fact, we hold WCPS up as a model of how a school system can approach its large backlog of deferred maintenance within an environment of highly constrained finances. This approach, unfortunately, does not work for all facilities, and I believe that West Salisbury Elementary School is one in which a more extensive capital investment is needed.

I will be happy to meet with you or your staff at any time to provide additional information on the subjects addressed in this letter or to discuss other issues relevant to the project appeals at the Board of Public Works meeting on January 28, 2015. I would also be very happy to provide you and your staff, at your convenience, with a brief overview of the Public School Construction Program and the IAC, and the work that we carry out.

Sincerely,



David Lever, R.A., D.A.

Executive Director

Maryland Public School Construction Program

Enclosure

cc: Treasurer Nancy K. Kopp
Comptroller Peter Franchot
State Superintendent Lillian M. Lowery, Chair, Interagency Committee on School Construction
Secretary David Craig, Member, Interagency Committee on School Construction
Secretary Gail Bassette, Member, Interagency Committee on School Construction
Mr. Timothy F. Maloney, Member, Interagency Committee on School Construction
Mr. John Bohannon, Member, Interagency Committee on School Construction
The Honorable Bob Culver, County Executive, Wicomico County
Mr. John Fredericksen, Superintendent of Schools, Wicomico County

The Honorable Larry Hogan
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bcc: Roy McGrath
Susanne Brogan
Jerry Klasmeier
Brian Foret
Joan Schaefer
Kim Spivey
Barbara Bice
Pat Goucher
Arabia Davis
Fred Mason, III

**PUBLIC SCHOOL CONSTRUCTION PROGRAM
 MAINTENANCE SURVEY RESULTS: SUMMARY, FY 2007 - FY 2014**
 February 25, 2015

AVERAGE MAINTENANCE INSPECTION SCORES, FY07-FY14
NOTES:

COMMENTS

(1) FY 2013 and FY 2014 survey results are under review and have not been distributed to the LEAs.

BALTIMORE CITY

Superior/Good: 37%
 Adequate: 54%
 Not Adequate/Poor: 9%

Superior/Good: 37%
 Adequate: 54%
 Not Adequate/Poor: 9%

Comprehensive Maintenance Plan (CMP) approved in September 2014 shows a 5-year, sequential plan for increasing staffing and budget, and reorganization of critical personnel. A number of Maintenance Performance Metrics, as well as the implementation of a computerized maintenance management system (CMMS), are expected to contribute to improved maintenance within a 5-year timeframe.

LARGE LEAS

ANNE ARUNDEL

Superior/Good: 71%
 Adequate: 27%
 Not Adequate/Poor: 2%

COMBINED AVERAGES, LARGE LEAS

Superior/Good: 72%
 Adequate: 27%
 Not Adequate/Poor: 2%

BALTIMORE CO.

Superior/Good: 82%
 Adequate: 18%
 Not Adequate/Poor: 0%

MONTGOMERY

Superior/Good: 69%
 Adequate: 30%
 Not Adequate/Poor: 1%

PRINCE GEORGE'S

Superior/Good: 41%
 Adequate: 54%
 Not Adequate/Poor: 5%

HOWARD

Superior/Good: 96%
 Adequate: 4%
 Not Adequate/Poor: 0%

LEA shows a definite and consistent improvement trend for FY 2012 through FY 2014.

Organizational improvements begun in the summer of 2013 are not yet manifested in the inspection results through FY 2014.

MID-SIZE LEAS

FREDERICK

Superior/Good: 88%
 Adequate: 12%
 Not Adequate/Poor: 0%

COMBINED AVERAGES, MID-SIZE LEAS

Superior/Good: 83%
 Adequate: 17%
 Not Adequate/Poor: 0%

HARFORD

Superior/Good: 78%
 Adequate: 22%
 Not Adequate/Poor: 0%

SMALL LEAS

CALVERT

Superior/Good: 98%
 Adequate: 3%
 Not Adequate/Poor: 0%

COMBINED AVERAGES, SMALL LEAS

Superior/Good: 90%
 Adequate: 10%
 Not Adequate/Poor: 0%

CECIL

Superior/Good: 95%
 Adequate: 5%
 Not Adequate/Poor: 0%

WASHINGTON

Superior/Good: 83%
 Adequate: 17%
 Not Adequate/Poor: 0%

WICOMICO

Superior/Good: 84%
 Adequate: 16%
 Not Adequate/Poor: 0%