



OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE

Marc Elrich
County Executive

Tiffany Ward
Director and Chief Equity

MEMORANDUM

April 23, 2024

To: Jennifer Bryant, Director
Office of Management and Budget

From: Tiffany Ward, Director
Office of Racial Equity and Social Justice

Re: Racial Equity Impact Assessment (REIA) for Supplemental Appropriation (SA) #24-64 Amendment to the Fiscal Year 2023-2028 Capital Improvement Programs—Healthy Schools Facility Fund.

- I. **FINDING:** The Office of Racial Equity and Social Justice (ORESJ) finds that Supplemental Appropriation #24-64 has the potential to improve health and educational outcomes for Montgomery County Public School students of color attending schools selected to receive the designated Healthy School Facility Funds.
- II. **BACKGROUND:** Supplemental Appropriation #24-64 provides state funds to Montgomery County Public Schools (MCPS) to fund eligible projects in the Healthy Schools Fund.¹ Eligible projects are projects that are designed to create a healthier and safer environment for students and staff. This may include projects such as air conditioning systems, removing mold, and other critical facility enhancements to promote better indoor air quality and overall school facility health. According to the Maryland Interagency Commission on School Construction (IAC), funds are needed to install radon mitigation systems or active soil depressurization systems. These systems are designed to remediate pollutants.²

¹ [Transmittal of Board of Education Agenda Item #10.10](#), Monifa McKnight, Superintendent of Schools to March Elrich and Andrew Friedson, January 25, 2024.

² IAC, [Healthy School Facility Fund – MD Public School Construction \(mdschoolconstruction.org\)](#); Department of Facilities Management, Division of Sustainability and Compliance, [Radon Briefing on MCPS](#).

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Supplemental Appropriation #24-64 would add \$392,083 to the Healthy School Facility Fund. According to MCPS, funds from this appropriation are intended to be used at the following school locations:

- John F. Kennedy High School,
- Montgomery Village Middle School,
- Clopper Mill Elementary School,
- North Chevy Chase Elementary School,
- Poolesville Elementary School,
- Lois P. Rockwell Elementary School, and
- Bayard Rustin Elementary School.

Healthy School Facility Fund

The Healthy School Facility Fund makes money available for capital projects that improve health and safety in public schools. Funds can be used to renovate, install, or purchase air conditioning, heating systems, indoor air quality, and mold removal. Funds can also be used to ensure plumbing systems are free from lead contamination, especially in drinking water outlets, and to improve the functionality of windows. The fund gives preference to projects that urgently address risks to the well-being and safety of school occupants.³ According to the IAC, each of the seven schools is at “immediate risk.” This is likely due to the number of classrooms in each school being above the acceptable radon level.

Demographic Overview

The following chart in Figure 1, submitted by Montgomery County Public Schools to ORESJ, provides demographic data for the 2023-2024 academic school year.⁴ The chart shows that all the seven schools selected to receive capital improvements largely serve students of color, as well as children eligible to participate in the FARMS program. Nearly a quarter of the student population across these seven schools receives English Language Development services. This highlights the presence of a substantial number of students for whom English is not their first language and who require additional support to achieve academic proficiency in English.

³ IAC, [Healthy School Facility Fund](#) overview.

⁴ [Racial Equity and Social Justice Tool](#)

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Schools	2023-2024						2022-2023		
	Total Enrollment	Two or more races%	Black or Afr. Amer. %	Asian%	Hispanic %	White %	FARM S% *	ELD% **	M obility Rate% ***
John F. Kennedy HS	1847	1.6%	21.7%	4.1%	67.9%	4.4%	76.8%	28.2%	18.3%
Montgomery Village MS	808	2.8%	23.4%	8.2%	61.8%	3.7%	80.2%	30.1%	20.1%
Clopper Mill ES	463	3.5%	33.7%	7.8%	47.5%	6.9%	70.6%	24.8%	22.7%
North Chevy Chase ES	243	7.0%	21.8%	9.5%	15.2%	46.1%	26.9%	13.2%	11.1%
Poolesville ES	562	8.4%	8.5%	10.1%	16.2%	56.6%	19.6%	5.5%	6.0%
Lois P. Rockwell ES	528	7.4%	17.2%	10.4%	28.2%	36.2%	32.9%	10.9%	8.8%
Bayard Rustin ES	787	10.3%	10.9%	23.5%	31.0%	23.8%	41.8%	27.8%	17.5%

Procurement and the Interagency Commission on School Construction

The Healthy School Facility Fund is subject to Maryland state law. The IAC plays a crucial role in the procurement process. The IAC is charged with overseeing the planning, funding, and approving of school construction projects in Maryland. Its key responsibilities include approving expenditures, ensuring projects align with state educational standards, and certifying that school facilities' funds are used efficiently. IAC uses the following procurement procedures:

- No IAC approval is needed for projects under \$50,000; local policies determine sealed bid requirements.
- Projects ranging from \$50,000 to \$100,000 mandate competitive bidding and state review for reimbursement.
- Above \$100,000, projects require competitive bidding and IAC pre-approval before awarding contracts.
- Compliance with minority business participation and prevailing wage laws is required for all procurements, and Maryland Historical Trust consultation may be necessary.

III. **ANALYSIS:** The Office of Racial Equity and Social Justice has previously analyzed public school facility upgrades and capital improvements. These REIAs provide further details regarding the benefits of improved school facilities, particularly for students of color and students from families with low incomes. More information on these analyses can be found in the following REIAs:

- Appropriation #22-63 MCPS Lifecycle Upgrades <https://www.montgomerycountymd.gov/ore/Resources/Files/22-63.pdf>
- Supplemental Appropriation #23-05 FY23 Capital Budget of Montgomery County Public Schools (MCPS) Major Capital Projects—Secondary <https://www.montgomerycountymd.gov/ore/Resources/Files/23-05.pdf>
- Supplemental Appropriation #23-12 FY23 Capital Budget Montgomery County Public Schools (MCPS) Planned Life Cycle Asset Replacement: MCPS <https://www.montgomerycountymd.gov/ore/Resources/Files/23-12.pdf> and

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- Supplemental Appropriation #23-83 Montgomery County Public Schools (MCPS) HVAC (Mechanical Systems) Replacement (MCPS)
<https://www.montgomerycountymd.gov/ore/Resources/Files/23-83.pdf>

Since the seven schools primarily serve children who often encounter significant systemic obstacles to success, ORESJ supports funding for the planned capital improvements. Timely improvements will benefit students, staff, and the communities these schools serve. Moreover, the presence of radon in any classroom poses a substantial risk to the physical health and well-being of each student. Therefore, providing funding to remediate these issues is a positive step.

The county has several opportunities to prioritize racially equitable outcomes. One step would be to ensure the public has access to easily accessible information that shows which schools have received Healthy School Facility Funds, which schools will receive funds in the future, and how schools are selected and prioritized for funding.

cc: Ken Hartman, Director, Office of Strategic Partnerships, Office of the County Executive
Monique Felder, Interim Superintendent, Montgomery County Public Schools