

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

March 12, 2013

MEMORANDUM

To: Members of the Board of Education

From: Philip Kauffman, Vice President

Subject: Previous New Business Item: Guidelines for Leasing, Licensing, or Using MCPS Property That Is Being Held as a Future School Site

WHEREAS, The Montgomery County Board of Education holds real property in trust for the benefit of the school system; and

WHEREAS, There are currently 13 Board of Education-owned future school sites; and

WHEREAS, Policy DNA, *Disposal of Board of Education Property*, only addresses the disposal of real property (land and buildings) considered to have no further use by the Montgomery County Public Schools system; and

WHEREAS, There has been litigation which has raised issues relating to leases executed by the Montgomery County Public Schools system of future school sites; and

WHEREAS, There is a need to address policies and procedures governing the leasing, licensing, or other uses of property (land and buildings) that is being held by the Montgomery County Public Schools system as a future school site, including, but not limited to the right of reclamation of the property by the school system, receipt of fair market value, appropriate use of the property consistent with the Board's trust, the term of any lease or license agreement, competitive selection procedures, and compliance with local zoning and mandatory referral procedures; now therefore be it

Resolved, That the Montgomery County Board of Education direct its Policy Committee to examine the current guidelines and procedures for the leasing, licensing, or other uses of the school system's real property being held as a future school site (land and buildings); and be it further

Resolved, That the Policy Committee make a recommendation to the Montgomery County Board of Education regarding whether any further guidelines or a policy should be adopted for guiding any decision making related to the use, lease, or license of the school system's real property being held as a future school site (land and buildings).

PK:kmy