



STATE OF MARYLAND  
PUBLIC SCHOOL CONSTRUCTION PROGRAM  
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DAVID G. LEVER  
EXECUTIVE DIRECTOR

LARRY HOGAN  
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INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION

JACK R. SMITH, Ph.D.  
CHAIRPERSON

May 11, 2016

Dr. Jack Smith  
Secretary David Craig  
Secretary Gail Bassette  
Mr. John Bohanan  
Ms. Barbara Hoffman

Re: Resignation as Executive Director of the Interagency Committee on School Construction

Dear Interagency Committee Members:

It has become increasingly apparent that the objectives and the methods of the Board of Public Works are in conflict with the deliberative, objective, and professional approach to facility planning that we have built up over many years at the Interagency Committee on School Construction. From Dr. Yale Stenzler, my predecessor as Executive Director, I inherited a fine organization that supports the mission of the Interagency Committee on School Construction, ensuring the equitable condition of public school buildings across the state of Maryland. In my tenure, we have built on Dr. Stenzler's legacy, adapting it to new conditions that have emerged in the educational field, in design, and in construction. Throughout, we have upheld the need to build public school facilities of high quality that are assets not only to students but to their communities; that will endure for many decades in good condition, presenting a reduced maintenance burden to their boards of education; and that can flexibly adapt to new educational and technological needs as they arise. Throughout, we have maintained a process that is thorough, detailed, objective, and resolutely non-political.

Since its founding in 1971, a core tenet of Maryland's Public School Construction Program has been deferral to local boards of education in formulating capital programs, including establishing project priorities and scopes. This position is based on both principle and practicality. As owners of their school facilities the local boards, rather than State officials, are best positioned to determine the capital projects needed to support their educational programs and to meet community expectations. At the same time, local boards possess a level of detailed information about the condition of their facilities that the IAC staff cannot possibly match. The IAC's management of State funds was never intended to substitute for the judgment of local boards with respect to capital matters, but to assist them through grants and technical input, and to promote key State initiatives and requirements such as full-day kindergarten, high performance building design, and good community planning principles.

The professionalism, objectivity, and fairness of the IAC have never been questioned, a fact reflected in the strong tradition of acceptance by Boards of Public Works of the capital funding recommendations of this deliberative body. The IAC's professionalism is embedded in the procedures by which it determines the eligibility of projects, the projects to be recommended to the BPW, and the scopes within which the State will participate. This is a lengthy and very detailed process, in which more than 250 projects are reviewed annually by officers from four State agencies to ensure that State funds will be directed to well-conceived and thoroughly well-justified projects. In the execution of every aspect of policy and procedure by the IAC staff, the welfare of students and their communities has been the consistent guiding objective.

The Board of Public Works meeting of May 11, 2016 called both the principle of deferral to local boards and the professional judgment of the IAC into question. It appears that the Board of Public Works now

intends to use its authority over capital funding to compel school systems to meet its objectives, irrespective of whether these objectives align with local priorities and the recommendations of the IAC. It also appears that a majority of the Board of Public Works members have no interest in being informed on critical matters by local superintendents and other school officials, the individuals who have the responsibility to weigh the complex factors that intersect around school facilities and to determine the outcomes that best meet the needs of their students and their communities. The disrespect with which these dedicated, serious officials were treated at the meeting of May 11 is no less than astonishing.

I find that I cannot be a party to this degradation of a school construction program that I have worked hard to advance in professionalism and comprehensiveness. Reasonable people may disagree, with valid reasons on each side, about whether State funds should be used for window air conditioning units; if genuine solutions are sought to the problem of overheated classrooms, a thoughtful process of discussion and research is called for. The exercise of blunt authority demonstrated at the Board of Public Works meeting of May 11, and the foreclosure of any reasonable discussion on this issue, substitutes the preferences of the Board of Public Works for the expertise of a range of local and State individuals who have made education and school facility matters their life's work.

As a result of a situation that has developed over many months, I tender my resignation effective September 1, 2016. This extended period does not correspond to my personal preferences, but reflects the need for an orderly hand-over of the many programs and projects for which I bear responsibility. I will work with the IAC and the IAC staff to ensure that all current projects and programs are accounted for and will continue, as far as existing staff resources make this possible. The staff of the IAC is already highly constrained with respect to the increased responsibilities and expectations that have come to it in recent years; it is therefore inevitable that some programs and responsibilities will need to be curtailed.

My tenure since 2003 as Executive Director of the Public School Construction Program has been immensely gratifying. It has brought me into contact with an exceptional group of individuals, the dedicated men and women who support the facility management activities of the school systems of Maryland. I have enjoyed the support of and interaction with a broad range of IAC members who have consistently respected the professionalism of their staff. The position has allowed me to advance a program nurtured by my predecessor into one of the most balanced, objective, and thorough state school construction programs in the nation. It has given me contact with my counterparts throughout the United States, allowing us to not only learn from them, but also to compare our program against broad, industry-wide standards. For all these reasons, I am grateful for the opportunity I have had to serve as Executive Director, and will remain continually interested in how the Program proceeds under its future leadership.

Sincerely,



David Lever

cc: Governor Larry Hogan  
Treasurer Nancy K. Kopp  
Comptroller Peter Franchot  
Senator Mike Miller, President of the Senate  
Delegate Mike Busch, Speaker of the House  
Senator Edward Kasemeyer, Chair, Senate Budget and Taxation Committee  
Delegate Maggie McIntosh, Chair, House Appropriations Committee  
Ms. Sheila McDonald, Executive Secretary, Board of Public Works  
Ms. Joan Schaefer, Deputy Director