

# POLICY

## BOARD OF EDUCATION OF MONTGOMERY COUNTY

---

**Related Entries:** ABA, FAA-RA, FEA, FEA-RA  
**Responsible Office:** Facilities Management  
**Related Source:** *Annotated Code of Maryland*, Land Use Article,  
§20-201, §20-202, §20-301 through §20-305

### Mandatory Referral Review Requirements for Major Capital Projects

#### A. PURPOSE

To set forth guidance for complying with Mandatory Referral Review laws of the State of Maryland

#### B. ISSUE

Maryland law requires that Montgomery County Public Schools (MCPS) submit plans for the construction of school facilities to the Maryland-National Capital Park and Planning Commission (Commission) and/or the Montgomery County Planning Board (Planning Board). It is the intent of the school system to cooperate fully with the Commission and/or Planning Board staff to efficiently and effectively provide the best possible educational facilities in an adequate and timely manner by minimizing duplication of effort and undue delays.

#### C. PROCESS

1. In the development of preliminary plans for major capital projects, community input shall be sought in accordance with Montgomery County Board Policy ABA, *Community Involvement*.
2. Subsequent to approval of preliminary plans for major capital projects by the Board, the superintendent of schools or designee will submit to the Commission and/or Planning Board all plans subject to the mandatory referral review process.

3. The superintendent of schools will review any comments received from the Commission and/or Planning Board and provide responses to the recommendation(s). The superintendent of schools' response to the Commission and/or Planning Board, will be submitted to the Board.
4. In accordance with State law, if the Commission and/or Planning Board fails to act within 60 days from the submission date, the project is considered to be approved unless MCPS staff agrees to extend the timeline for the mandatory referral process.

**D. REVIEW AND REPORTING**

1. The Board will receive updates on the status of projects submitted to the Commission and/or Planning Board.
2. This policy will be reviewed in accordance with the Board policy review process.

Resolution 206-86, March 24, 1986; amended by Resolution No. 44-16, February 9, 2016.