

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: May 7, 2013

TO: **BOARD OF EDUCATION**

FROM: S. Dallas Dance, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8130, FORMULATION**

ORIGINATOR: Margaret-Ann F. Howie, Esq., General Counsel

RESOURCE PERSON(S): Patricia S. Clark, Policy and Compliance Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 8130.
This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 8130

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 8130
FORMULATION**

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent’s Rule 8130, Policy 8130 is scheduled for review in school year 2012–2013. Policy 8130 establishes the process for the development of Board of Education policies as required by State law; reflects current Board practices concerning curriculum adoption; and outlines the Board’s commitment to review its policies, to the best of its ability, on a five year cycle. The Board’s Policy Review Committee is recommending that the policy be revised to: (1) include a policy statement; (2) move the “definition” of a policy to a separate section, consistent with the Board’s current formatting practice; and (3) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 8132, *Control and Communications*
2. Board of Education Policy 8140, *Administrative Operations*

Legal Requirements

1. *Annotated Code of Maryland*, Education Article §4-101, *Control and Promotion of Education*
2. *Annotated Code of Maryland*, Education Article §4-108, *Duties in General*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy BF, *Policysetting*
2. Baltimore City Board of School Commissioners, Policy BGA, *Policy Development*
3. Harford County Board of Education, Policy 22-0014-000, *Policy Development and Review*
4. Howard County Board of Education, Policy 2000, *School Board Governance*
5. Montgomery County Board of Education, Policy BFA, *Policysetting*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other options were considered.

Timeline

First reading – March 19, 2013

Public comment – April 23, 2013

Third reading/vote – May 7, 2013

INTERNAL BOARD POLICIES: Organization

Formulation

I. POLICY STATEMENT [Purpose]

- A. The Board of Education of Baltimore County (BOARD) IS RESPONSIBLE FOR FORMULATING AND ADOPTING EDUCATIONAL POLICIES FOR THE BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM (BCPS) [representing the people of the county, is, in addition to its many other roles, the legislative body which makes policy to be employed by the county's public schools. "Policies" are defined as those principles formally adopted by the Board of Education in order to manage the school system].
- B. The Board shall, to the best of its ability, cause the provisions of state and federal laws and the bylaws and policies of the MARYLAND State Board of Education (MSBE) to be carried out.
- C. The Board [of Education] shall, with the advice of the [county] Superintendent, set goals and expectations for the school system through the development, revision, and adoption of policies to guide the formulation and implementation of educational programs and the management of school system operations.
- D. Unless legal or regulatory requirements demand otherwise, the Board shall to the best of its ability, review its policies within five years of adoption, amendment, or re-adoption.
- E. THE BOARD SHALL APPROVE, PRIOR TO IMPLEMENTATION OR DISCONTINUANCE, EACH course of study AND [,] revised COURSE OF STUDY [courses, required methods of teaching, and any significant program to be tested in one or more schools for the purpose of] being considered for use system-wide, EXCEPT WHEN THE COURSE OF STUDY IS MANDATED BY MSBE [shall be approved by the Board of Education prior to implementation or discontinuance].

II. DEFINITION

POLICIES – GUIDELINES AND STATEMENTS OF GOALS ADOPTED BY THE BOARD. POLICIES ASSIGN AUTHORITY, OUTLINE PRINCIPLES TO BE FOLLOWED WITH RESPECT TO SPECIFIC MATTERS, AND SERVE AS A MEANS TO GOVERN AND MANAGE THE SCHOOL SYSTEM.

III. [II.]PROCEDURE

- A. The Board may request or receive a policy analysis from the Superintendent on revisions to existing policies or on the need for a new policy.
 - 1. All policy analyses will include the following elements:
 - a. Statement of issues or questions addressed by the proposed policy;
 - b. Where appropriate, cost analysis and fiscal impact on school system;
 - c. Relationship to other Board [of Education] policies;
 - d. Legal requirements, such as federal, state, or local laws or regulations;
 - e. Similar policies adopted by other local school systems;
 - f. A draft of the proposed policy; and
 - g. Other alternatives that were considered by staff.
- B. The policy analysis will be presented to the Board as an item for discussion.
- C. If limited revisions to existing policies are necessary, the Superintendent will present the proposed changes to the Board with an accompanying rationale. There shall be no need for a policy analysis.
- D. When a Board member or the Superintendent presents a proposed policy, a time line for adoption will accompany the policy, and will include, where appropriate:
 - 1. Opportunity for citizen comment;
 - 2. Opportunity for Superintendent and staff to provide advice and recommendations;
 - 3. Proposed date of adoption.

E. The Superintendent shall, where necessary, develop administrative rules for the implementation of the Board’s policies. Such rules will be presented to the Board for information purposes, but do not require an affirmative vote of the Board.

F. Following discussion, the Board shall adopt policies, in public session, and such adoption shall be recorded in the minutes of the Board.

IV. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-101, CONTROL AND PROMOTION OF EDUCATION*
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-108, DUTIES IN GENERAL

Related Policies: BOARD OF EDUCATION POLICY 8132, *CONTROL AND COMMUNICATIONS*
BOARD OF EDUCATION POLICY 8140, *ADMINISTRATIVE OPERATIONS* [– Formulation of Administrative Regulations]

Policy Board of Education of Baltimore County
Adopted: 04/13/72
Revised: 07/13/78
Revised: 10/08/96
Revised: 12/04/01
Revised: 10/02/07
REVISED: _____