

TENTATIVE, SUBJECT TO CHANGE

MEETING OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

OPEN SESSION

Wednesday, February 25, 2004
5:30 P.M.-Closed Session, 7:30 P.M.-Open Session
Educational Support Services Building

- I. PLEDGE OF ALLEGIANCE
- II. SILENT MEDITATION IN REMEMBRANCE
- III. AGENDA
Consideration of the agenda for February 25, 2004
- IV. MINUTES
Consideration of the Public Hearing Minutes on Proposed FY05 Operating Budget and Open and Closed Session Minutes of January 28, 2004 Exhibit A
- V. SPECIAL ORDER OF BUSINESS – Consideration of Reappointment of Superintendent’s Contract (Mr. Sasiadek)
- VI. SUPERINTENDENT’S REPORT
- VII. STATE SUPERINTENDENT OF SCHOOLS (Dr. Nancy Grasmick)
- VIII. OLD BUSINESS
 - A. Consideration of the Proposed Operating Budget for Fiscal Year ‘05 (Dr. Hairston)
Exhibit B
- IX. REPORTS
 - A. Revised Policy 2372 – Conduct: Tobacco (First Reading) (Ms. Satterfield)
Exhibit C
- X. NEW BUSINESS
 - A. Consideration of consent to the following personnel matters: (Mr. Grimsley)
 - 1. Termination of Leaves Exhibit D
 - 2. Retirements Exhibit E
 - 3. Resignations Exhibit F
 - 4. Leaves Exhibit G
 - 5. Deaths Exhibit H
 - 6. Ethic Panel Appointment Exhibit I

- B. Consideration of consent to the following contract awards: (Ms. Burnopp)
(Mr. Gay)
Exhibit J

1. Automotive Service Technology Equipment

- C. Consideration of consent to the following Building Committee Recommendations: (Building Committee)

1. Award of Contract – Material Testing at Woodholme Elementary School Exhibit K

2. Change Order – Design and Construction Administration Services at New Town High School Exhibit L

3. Change Order – Design and Construction Administration Services at Woodholme Elementary School Exhibit M

- D. Consideration of School Legislation (Dr. Poff)
Exhibit N

IX. INFORMATION

A. Revised Rule 2372 – Conduct: Tobacco Exhibit O

B. Revised Rule 5150 - Students: Enrollment and Attendance Exhibit P

C. Southeast Area Advisory Council Minutes of January 20, 2004 Exhibit Q

X. ANNOUNCEMENTS

A. Constituent Groups

B. Public Comment

Next Board Meeting March 9, 2004
7:30 PM Greenwood

TENTATIVE MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Wednesday, January 28, 2004

The Board of Education of Baltimore County, Maryland, met in open session at 4:40 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Ms. Francesca Cirincione, Mrs. Phyllis E. Ettinger, Mr. Michael P. Kennedy, Ms. Janese Murray, Ms. Joy Shillman, and Mr. James Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Mr. Sasiadek reminded Board member of upcoming functions including:

- ⌚ Coalition Rally in Annapolis, rescheduled to Monday, February 9, 2004.
- ⌚ Board of Education work session to discuss the FY 2005 Operating Budget, Tuesday, February 3, 2004. The meeting will take place at the ESS Building located on the Greenwood campus at 7:00 p.m.
- ⌚ BCPS Quarterly Recognition Awards Ceremony, Wednesday, February 4 at Cockeysville Middle School at 7:00 p.m.

At 4:45 p.m., Mrs. Ettinger moved the Board go into closed session to discuss personnel matters and to consider matters related to collective bargaining negotiations pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1) and (a)(9). The motion was seconded by Ms. Murray and unanimously approved by the Board.

CLOSED SESSION MINUTES

Mr. Randy Grimsley, Executive Director of Human Resources, reviewed with Board members personnel matters to be considered this evening.

Mr. Hayden entered the room at 4:52 p.m.

At 5:35 p.m., Mr. Arnold moved to adjourn the closed session for a brief dinner recess. The motion was seconded by Mr. Walker and approved by the Board.

REPORT OF THE PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2005
SUPERINTENDENT'S OPERATING BUDGET RECOMMENDATIONS

President Mr. James R. Sasiadek called the hearing to order at 7:15 p.m. In addition to President Sasiadek, the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Mrs. Phyllis E. Ettinger, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Joy Shillman, and Mr. James E. Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools; staff members; as well as the media were present.

The following speakers addressed the Board:

1. Ms. Kelli Nelson, Parent and Chair, Baltimore County Interagency Coordinating Council – Current Infants and Toddlers (I/T) staff can no longer meet the overwhelming demands. She noted that the number of Baltimore County children and families served through the I/T Program continues to rise with a 20% increase in 2003 and the number of referrals increased 15% in 2003. Ms. Nelson stated the current request does not include any additional funds or staff for the I/T Program. The Council is requesting the Board of Education amend the proposal to include 4 FTE's. In addition to this request, the I/T Program will be seeking additional positions and resources from the health Department to support the continued needs in this area.
2. Ms. Cheryl Eisenhauer, Teacher at Wellwood International School – School system needs to increase compensation for all teachers so that it retains a quality teaching force and attracts teachers into the profession. Teachers have overwhelming workloads and an expectation to meet mandates requiring a wide range of skills, are constantly plagued with inadequate compensation for their work. Ms. Eisenhauer noted the following: a) Baltimore County teachers have a salary scale that is ranked 15th; b) Baltimore County teachers have a “bottom of the barrel” pension system that does not provide a livable income after 30 plus years of service, and; c) few highly qualified people are being drawn to the teaching profession because of its inadequate compensation.
3. Mr. Tom Dolina, Attorney for CASE – Stated that CASE appreciates efforts of the Board of Education to obtain and support the salary scale for CASE. He stated that salary adjustments reflect the goals that everyone wants to achieve to recruit and retain highly qualified employees. Mr. Dolina applauded Dr. Hairston, Board Members', and leadership. He agrees the budget is a good product but not a finished product. Mr. Dolina complimented Mr. Randy Grimsley, Executive Director of Human Resources, and his team in handling the negotiating process.
4. Mr. Benjamin Dubin, Baltimore County Disabilities Commission – Glad to see closed-captioning funding for Education TV. Mr. Dubin noted that ADA requires programs be accessible to those who are disabled. He asks that funding be secured, as necessary. Mr. Dubin stated BCPS should bring all schools up to ADA standards for students and parents. He was glad to see Greenwood campus bathroom renovations.

REPORT OF THE PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2005
SUPERINTENDENT'S OPERATING BUDGET RECOMMENDATIONS (cont)

5. Ms. Jody Wallace, Parent of Carver Center Student – Asked the Board to keep the Carver Center renovation in mind and think about alternative ways to raise money. She was pleased to see the increase in salaries in the budget.
6. Ms. Sue Thompson, PTSA President and Parent of Carver Center Student – Carver Center is in need of an auditorium for the performing center. She requests this be added to the capital budget. Ms. Thompson noted that Carver Center is the only school in the county without an auditorium.
7. Ms. Kelly Scheel, Parent, Infants and Toddlers – Stated that staff is overloaded. There is no transition process at the end of Infants and Toddlers. She is requesting additional staff for Infants and Toddlers Program. Without additional staff, children will not receive quality, as well as quantity, service.
8. Ms. Shari Ossakow, Parent, Infants and Toddlers – Requested additional staff for Infants and Toddlers Program. Quantity of staff is extremely important to the children. Services provided were generally good, however, staff is overworked and a large number are being transitioned.
9. Ms. Sharon Bateman, Parent and Former Carroll County Special Education Teacher – Parents are better prepared to assist special education children through the system's special education program. Support for the special education program is really needed. Also requests increase in staffing for Infants and Toddlers Program. She stated Infants and Toddlers Program is a vital stepping-stone into school. Need to continue to make this a service to families and not a disservice.
10. Ms. Laura Maguire, Parent, Infants and Toddlers Program – Currently receiving services through the Infants and Toddlers Program. Without this program, she would have been a helpless and frustrated parent. She requests staffing the Infants and Toddler Program with highly qualified individuals. She asks the school system to continue to support the needs of babies and toddlers with special needs.
11. Ms. Karen Yarn, Chairperson, Advisory Committee for Gifted and Talented Education – Advisory committee is in support of teacher and school employee increases and the ever-rising health care costs. Requests the Board not to halt the progress of this program by cutting \$2.5 million from Special Programs. Delighted to see the Gifted and Talented policy put in place last year. However, to put an important policy, such as this, in place and not provide the funding necessary to ensure the continued success of the program could result in a loss of once-in-a-lifetime education opportunities for our students and teachers.
12. Ms. Yvonne Nelson, PTA Vice President, Edmondson Heights – Stated the library is great; however, the library is in need of a TV and other resources. The PTA raised \$1000 for an overhead projector. The school is also in need of the following: additional computers for students, a printer, furniture, earphones, computer mice, and two soccer goals. She stated the trailers are great but there is a need for shelves and storage areas. Also, the school nurse would like to upgrade the portable medical cart to standard.

REPORT OF THE PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2005
SUPERINTENDENT'S OPERATING BUDGET RECOMMENDATIONS (cont)

13. Ms. Cheryl Bost, TABCO President – Requested the need to increase teachers' compensation if BCPS is going to attract and retain highly qualified teachers. She commended Dr. Hairston for taking the first step for including increases in the proposed operating budget. She encourages the Board to fully fund the proposed budget. She stated elected officials need to be accountable for funding education.
14. Ms. Sharon Mezei, Parent, Infants and Toddlers – Requested increased staffing for Infants and Toddlers Program. She feels it is not appropriate to outsource this program. She stated outsourcing service provided for a young population does not and will not work.
15. Ms. Jan Thomas, Parent and PTA Representative – Thanked the Office of Budget for their hard work and pleased with the new format of the budget book. She stated proposed budget appears to be aligned with the performance goals. She noted raises for school personnel must be implemented to retain and hire highly qualified employees. She welcomed the increase in per pupil allotment but sorry to see that the A&E Program was cut. Would like to see more data on programs funded by special revenues. Ms. Thomas expressed her concern to the Board for holding the hearing on a night when schools had been canceled. She stated that a last-minute change in the hearing's location might have limited public input.

Mr. Kennedy urged people who did not have a chance to speak to call or write to Board Members. He emphasized that the Board is still anxious to hear from the public.

The hearing was concluded at 8:01 p.m.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in open session at 8:05 p.m. at Greenwood. President James R. Sasiadek and the following Board members were present: Mr. Donald L. Arnold, Francesca Cirincione, Mrs. Phyllis E. Ettinger, Mr. Thomas G. Grzynski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Mr. Michael P. Kennedy, Ms. Janese Murray, Ms. Joy Shillman, and Mr. James Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by Steven Grabner, seventh grader at Pine Grove Middle School, and a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Mr. Sasiadek informed the audience of the previous sessions in which Board members had participated earlier in the afternoon.

SUPERINTENDENT'S REPORT

No items to report

PERSONNEL MATTERS

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved the personnel matters as presented on Exhibits A, B, C, D, and E. (Copies of the exhibits are attached to the formal minutes.)

CONTRACT AWARDS

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved items 2, 3, 5, 6, 7, and 8 (Exhibit F).

2. Database Reporting Tool Software Application Contract Amendment
3. Interior and Exterior Doors and Associated Millwork
5. Office of Science – Elementary Curriculum Materials and Equipment
6. Office of Science – PreK - 12 Curriculum Materials and Equipment
7. Paper: Dual Purpose (Copy, Laser Printers & Duplicators)
8. Supplies Contract: Interior and Exterior Paint

Item #1

Ms. Shillman asked if this amount would be including a part-time security guard at Catonsville Alternative School. Dr. Krempel responded it is an office position and not assigned to a specific school.

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved item 1.

1. Contracted Services: Security Guard Services

Item #4

Mr. Arnold asked if this contract would discontinue the need to print documents outside the school system. Mr. Gay responded this equipment would not go to the print shop nor assist in the printing needs of the school system. This equipment is for the technology education curriculum for students to learn how to operate, repair and work on this equipment. Ms. Gay stated the equipment would go into Sollers Point High School, Western School of Technology and Science, Overlea High School, and Kenwood High School.

Item #4 (cont)

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved item 4.

4. Graphic/Print Communications Equipment

Item #9

Mr. Kennedy commented on complaints received by him regarding equipment suitability. He asked we determine whether the equipment is suitable for the job at hand. Mr. Gay responded that items are identified by the Grounds Department as a need. He stated that Purchasing communicates with the actual users to determine the design and requirements of the equipment. He noted that no contract or bid was in place for this item. However, the State of Maryland already had a contract in place with this contractor. Therefore, BCPS is piggybacking off the contract with the State of Maryland.

On motion of Mr. Kennedy, seconded by Mr. Arnold, the Board approved item 9.

9. Toro Groundsmaster 4000D

BUILDING COMMITTEE

The Building Committee, represented by Mr. Kennedy, recommended approval of items 1-2 (Exhibit G and H). The Board approved these recommendations. Mr. Arnold abstained from voting on exhibit G.

ANNOUNCEMENTS

Mr. Sasiadek made the following announcements:

- ⌚ The public rally in Annapolis to support full funding for the “Thornton” Bridge to Excellence in Public Schools Act has been rescheduled for Monday, February 9, 2004 from 6:00 p.m. to 8:00 p.m.
- ⌚ On Wednesday, February 3, 2004, the Baltimore County Board of Education will hold a work session to discuss the FY 2005 operating budget. The meeting will take place at the ESS Building located on the Greenwood campus at 7:00 p.m.
- ⌚ The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, February 10, 2004, at Greenwood. The meeting will begin with an open session at 5:00 p.m. After the Board adjourns to meet in closed session, followed by a brief dinner recess, the open meeting will reconvene at approximately 7:30 p.m. The public is welcome at all open sessions.

Mr. Sasiadek reminded speakers to refrain from discussing any matters that might come before the board in the form of an appeal, as well as any personnel matters.

STAKEHOLDER GROUPS

Ms. Meg O'Hare, Northeast Area Educational Advisory Council Chairperson, appreciated the Board attending the public works hearing to advocate for our children. She announced the next meeting of the Northeast Area Educational Advisory Council on Wednesday, February 4th at Seven Oaks Elementary School. The presentation will be on high school enrollment and the DeJong study. She enjoyed the STARLAB opening at Featherbed Lane Elementary School.

Ms. Cheryl Bost, TABCO President, announced the Thornton Rally rescheduled for Monday, February 9th. She noted that the rally plans have brought about a great interest in Thornton. Ms. Bost participated in several interviews to help educate people about the Thornton plan.

PUBLIC COMMENT

Mr. Akbar Y. Ansari, Director, Baltimore County Muslim Council, stated he received input from people within the county who have requested that Muslim holidays be added to Baltimore County Public School system's calendar.

Mr. Bashar Pharan, request the Board add Muslim holidays to the school calendar.

ADJOURNMENT

At 8:30 p.m., Mr. Arnold moved to adjourn the open session. The motion was seconded by Mr. Hayden and approved by the Board.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004

TO: **BOARD OF EDUCATION**

FROM: **Dr. Joe A. Hairston, Superintendent**

SUBJECT: **FY2005 BOARD PROPOSED OPERATING BUDGET**

ORIGINATOR: J. Robert Haines, Deputy Superintendent, Business Services

RESOURCE PERSON(S): Barbara Burnopp, Executive Director for Fiscal Services
Mike Goodhues, Director, Office of Budget and Reporting

RECOMMENDATION

That the FY2005 Board Proposed Operating Budget in the amount of \$1,062,952,157 be approved.

* * * * *

The Superintendent's proposed FY2005 Budget was introduced to the Board on January 13, 2004. A public hearing was held on January 28, 2004. The Board held a budget work session on February 5, 2004. Once approved, the budget will be forwarded to the County Executive by March 1, 2004.

Appendix I – FY2005 Board Proposed Operating Budget

- FY2005 Revenue Appropriation
- FY2005 Expense Appropriation
- FY2005 General Fund Revenue

Baltimore County Public Schools

FY2005 Board Proposed Budget

In accordance with Policy 3112, be it resolved that a budget for Baltimore County Public Schools be requested for Fiscal Year 2005, the following amounts by fund, category, and revenue source.

| | | Board Proposed |
|---|-----------|----------------------|
| <i>Revenue Appropriation</i> | | |
| <i>General Fund</i> | | |
| Local | \$ | 575,484,486 |
| State | | 340,420,514 |
| Other | | 7,475,732 |
| | | 923,380,732 |
| <i>Total General Fund Revenue</i> | \$ | 923,380,732 |
| <i>Special Revenue Fund</i> | | |
| Local | | 108,715 |
| State | | 6,967,096 |
| Federal | | 65,396,331 |
| Other | | 2,421,785 |
| | | 74,893,927 |
| <i>Total Special Revenue Fund Revenue</i> | \$ | 74,893,927 |
| <i>Debt Service Fund</i> | | |
| Local | | 24,112,696 |
| | | 24,112,696 |
| <i>Total Debt Service Fund Revenue</i> | \$ | 24,112,696 |
| <i>Enterprise Fund</i> | | |
| Operating Revenue | | 16,750,132 |
| Non-Operating Revenue | | 18,664,670 |
| | | 35,414,802 |
| <i>Total Enterprise Fund Revenue</i> | \$ | 35,414,802 |
| <i>Capital Fund</i> | | |
| Local | | 0 |
| State | | 5,150,000 |
| | | 5,150,000 |
| <i>Total Capital Fund Revenue</i> | \$ | 5,150,000 |
| <i>Grand Total of All Sources of Revenue</i> | \$ | 1,062,952,157 |

Baltimore County Public Schools
FY2005 Board Proposed Budget

| | | Board Proposed |
|--|-----------|----------------------|
| <i>Expense Appropriation</i> | | |
| <i>General Fund</i> | | |
| Administration | \$ | 23,319,860 |
| Mid-Level Administration | | 62,506,754 |
| Instructional Salaries | | 374,209,544 |
| Instructional Textbooks and Supplies | | 17,557,680 |
| Other Instructional Costs | | 13,793,200 |
| Special Education | | 115,405,740 |
| Pupil Personnel | | 4,248,235 |
| Health Services | | 9,923,010 |
| Transportation | | 37,039,423 |
| Operations | | 63,501,971 |
| Maintenance | | 21,377,401 |
| Fixed Charges | | 178,325,188 |
| Capital Outlay | | 2,172,726 |
| <i>Total General Fund</i> | \$ | 923,380,732 |
| <i>Special Revenue Fund</i> | | |
| Restricted Programs | | 74,893,927 |
| <i>Debt Service Fund</i> | | |
| Debt Service | | 24,112,696 |
| <i>Enterprise Fund</i> | | |
| Food and Nutrition | | 35,414,802 |
| Capital Fund | | 5,150,000 |
| <i>Grand Total of All Funds</i> | \$ | 1,062,952,157 |

BALTIMORE COUNTY PUBLIC SCHOOLS

FY05 General Fund Revenue

| | <u>FY03 Actual</u> | <u>FY04 Adj. Budget</u> | <u>FY05 Proposed</u> | <u>Increase/ (Decrease)</u> | <u>Percent Change</u> |
|---------------------------------------|---------------------------|-------------------------|------------------------|---------------------------------|---------------------------|
| <i>Local - Baltimore County</i> | \$ 547,235,002 | 560,233,962 | 575,484,486 | 15,250,524 | 2.7% |
| <i>State</i> | | | | | |
| State Current Exp | 195,792,225 | - | - | - | |
| Foundation Program | - | 221,237,877 | 242,339,790 | 21,101,913 | 9.5% |
| Gov Teacher Challenge | 7,184,810 | - | 1,796,203 | 1,796,203 | 100.0% |
| Transitional Component | - | - | - | - | |
| Formula-Compensatory Ed | 6,746,986 | 28,276,252 | 35,610,457 | 7,334,205 | 25.9% |
| Out of County Living-State | 4,569,813 | 4,000,000 | 4,000,000 | - | 0.0% |
| Limited English Proficiency | - | 2,901,559 | 4,030,263 | 1,128,704 | 38.9% |
| Formula-Students w/ Disabilities | 6,714,381 | 10,229,907 | 14,478,671 | 4,248,764 | 41.5% |
| Nonpublic Placements | 13,680,275 | 16,144,219 | 14,881,309 | (1,262,910) | -7.8% |
| Formula-Transportation | 15,809,152 | 18,269,353 | 19,343,821 | 1,074,468 | 5.9% |
| Aging Schools Program | 2,690,716 | 2,940,000 | 2,940,000 | - | 0.0% |
| Advanced Prof Certif. Stipends | - | 600,000 | 650,000 | 50,000 | 8.3% |
| National Certification Stipend | - | 240,000 | 150,000 | (90,000) | -37.5% |
| Signing Bonus Stipend | 775,012 | 150,000 | 200,000 | 50,000 | 33.3% |
| MSPAP/CTBS-5 Testing | 72,152 | - | - | - | |
| Gov's Early Educ Initiative | 1,745,802 | - | - | - | |
| <i>Total State</i> | <u>\$ 255,781,324</u> | <u>304,989,167</u> | <u>340,420,514</u> | <u>35,431,347</u> | <u>11.6%</u> |
| <i>Other Sources</i> | | | | | |
| Tuition-Nonresident | 78,907 | 130,000 | 130,000 | - | 0.0% |
| Tuition-Summer School | 401,762 | 400,000 | 400,000 | - | 0.0% |
| Tuition-Foster Care | 298,547 | 350,000 | 350,000 | - | 0.0% |
| Tuition-Evening High | 53,512 | 35,000 | 35,000 | - | 0.0% |
| Tuition-Driver's Ed | 273,512 | - | - | - | |
| Universal Svc Fee Discount | 584,583 | 800,000 | 800,000 | - | 0.0% |
| MABE Refund | 251,475 | 250,000 | 227,000 | (23,000) | -9.2% |
| Out of County Living - MD LEAs | 4,084,812 | 4,000,000 | 4,000,000 | - | 0.0% |
| Miscellaneous Revenue | 923,230 | 800,000 | 800,000 | - | 0.0% |
| Transportation Billing-Other LEAs | 50,550 | - | - | - | |
| Prior Year Fund Balance | 4,229,533 | 1,000,000 | 733,732 | (266,268) | -26.6% |
| <i>Total Other Sources</i> | <u>\$ 11,230,423</u> | <u>7,765,000</u> | <u>7,475,732</u> | <u>(289,268)</u> | <u>-3.7%</u> |
| <i>Grand Total of All Sources</i> | \$ 814,246,749 | 872,988,129 | 923,380,732 | 50,392,603 | 5.8% |

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004
TO: **BOARD OF EDUCATION**
FROM: **Dr. J. Hairston, Superintendent**
SUBJECT: Conduct: Tobacco Policy 2372
ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction
RESOURCE PERSON(S): Jean Satterfield, Executive Director, Student Support Services
Michele Prumo, Coordinator, Health Services

RECOMMENDATION

That the Board of Education approves Policy 2372,
Conduct: Tobacco. This is the first reading of the policy. A summary of all
of the changes is in Attachment I.

JS/ds
Attachment I – Policy 2372

POLICY 2372

ADMINISTRATION: Administrative Operations

Conduct: Tobacco

The Board of Education of Baltimore County is committed to providing a [healthful, comfortable, and productive] TOBACCO-FREE work environment for its students and employees. Due to the evidence concerning the health effects of tobacco use, smoking, and passive smoke, Baltimore County Public Schools [will be smoke-free as of July 1, 1993. This policy will prohibit] PROHIBITS the sale and use of ANY FORM OF tobacco [(in any form)] in school system owned or leased buildings, GROUNDS, and vehicles at all times (24 hours a day, every day)[. This includes schools, central offices, warehouses, garages, or other buildings belonging to the school system] regardless of whether or not students are present.

[The sale and use of tobacco is also prohibited on school grounds during the “official” school day. School grounds are defined as local school system owned or leased land that surrounds a school system building. The “official” school day is to be determined by each school administrator but must as a minimum include the 6.5 hours that students are in school. The “official” school day will be set from 8:00 a.m. to 5:00 p.m. for offices. This policy is to remain in effect for the entire calendar year.

Employees will be notified of this policy and Signs will be posted at all sites. Each building will also have available a written statement of their policy concerning school grounds.

Violation of this policy will result in progressive disciplinary actions to be carried out by the site administrator. Smoking cessation classes and related programs will be offered to assist employees in adhering to this policy.

Outside agencies will also be informed of the new policy and the building use form will be revised to include a written policy statement. Contracts with agencies can be terminated if after one warning the policy continues to be violated.]

THE BOARD OF EDUCATION DIRECTS THE SUPERINTENDENT TO MAINTAIN A TOBACCO-FREE ENVIRONMENT.

Legal Reference: COMAR 13A.02.04.01.--.07

Policy Board of Education of Baltimore County
 Adopted: 5/27/93
 REVISED:

Exhibit E**BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204**

February 25, 2004

RETIREMENTS

| <u>NAME</u> | <u>POSITION</u> | <u>SCHOOL/OFFICE</u> | <u>YRS. OF SERVICE</u> | <u>EFFECTIVE DATE</u> |
|--------------------|------------------------|-----------------------------|-------------------------------|------------------------------|
| Gerard H. Backof | Assist. Principal | Patapsco High | 36.0 | 7-01-04 |
| Leroy Barrick | Teacher | Timber Grove Elem. | 36.0 | 7-01-04 |
| Frank N. Berkey | Assist. Principal | Seven Oaks Elem. | 34.7 | 3-01-04 |
| Rosella Compello | Reading Specialist | Mars Estates Elem. | 17.0 | 7-01-04 |
| Richard Disharoon | Teacher | Pikesville High | 42.0 | 7-01-04 |
| Robert Galandak | Teacher | Franklin High | 27.6 | 7-01-04 |
| Marilyn Gibson | Teacher | Mars Estates Elem. | 30.0 | 7-01-04 |
| William M. Handy | Assist. Principal | Ridgely Middle | 30.0 | 7-01-04 |
| Norma Kuittinen | Nurse | Featherbed Lane Elem | 27.0 | 7-01-04 |
| Shirley Page | Specialist | Greenwood Admin. Bldg | 30.0 | 7-01-04 |
| Kathie E. Rumbley | Assist. Principal | Summit Park Elem. | 30.6 | 7-01-04 |
| Carol Sargent | Teacher | Loch Raven Tech Academy | 17.4 | 1-01-04 |
| Karen Taneyhill | Teacher | Ridgely Middle | 24.0 | 2-01-04 |
| Susan Taylor | Teacher | Seventh Dist. Elem. | 32.0 | 7-01-04 |
| Janet Wakely | Secretary II | Overlea High | 29.0 | 7-01-04 |
| Jacqueline Zachary | Teacher | Relay Elem. | 14.0 | 7-01-04 |

As of 2/23/04

**BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204**

February 25, 2004

RESIGNATIONS

ELEMENTARY – 5

Chadwick Elementary School

Beth M. Butterfield, 01/09/04, 3.0 yrs.

Featherbed Lane Elementary School

Jennifer A. Katz, 01/23/04, 1.0 yr.

Riverview Elementary School

Heather E. Gohn, 06/30/04, 1.6 yrs.

Shelby L. Lord, 06/30/04, 4.0 yrs.

White Oak School

Barbara Ruzicka, 02/13/04, 6.5 yrs.

SECONDARY - 4

Golden Ring Middle School

Doralyn S. Rush, 02/09/04, 2.5 yrs.

New Town High School

Eric J. Sopp, 06/30/04, 4.5 yrs.

Pikesville Middle School

Faith K. Chiawawana, 06/30/04, 9.0 mos

Towson High School

James A. Piazza, 02/13/04, 4.0 mos.

SEPARATIONS FROM LEAVE – 1

Kelly S. Wagner, granted Child Rearing Leave, 11/29/02-06/29/04, resigning 06/30/04, 9.0 yrs.

**BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204**

February 25, 2004

LEAVES

CHILD REARING LEAVE

SHELLEY MILLER NATHANSON – Pikesville Middle School
Effective February 10, 2004 through June 30, 2004

JEAN MARIE RODIER – Perry Hall Middle School
Effective January 22, 2004 through June 30, 2005

FELICIA WILLIAMS WILKS – RICA-Baltimore/Catonsville Educational Center
Effective February 10, 2004 through June 30, 2004

PERSONAL LEAVES

EILEEN M. LANG – Catonsville Middle School
Effective July 1, 2004 through June 30, 2005

UNUSUAL OR IMPERATIVE LEAVES

JAMIE GLASSER BERMAN – Victory Villa Elementary School
Effective February 27, 2004 through June 30, 2004

JOANNA BRANHAM – Pikesville Middle School
Effective July 1, 2004 through June 30, 2005

DAWN RUTTER-HOFFMASTER – Colgate Elementary School
Effective July 1, 2004 through June 30, 2005

CHRISTINE MEDVETZ – Formerly Fullerton Elementary School
Effective January 1, 2004 through June 30, 2004

*Non-member Maryland State Retirement System & Pension System

Exhibit H

**BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204**

February 25, 2004

DECEASED

The Board gratefully acknowledges the service of the employee listed below:

STANLEY A. GOLDBERG

School Bus Driver
Windsor Mill Bus Facility
January 11, 2004

GRACE E. SMITH

School Bus Driver
Rosedale Bus Facility
January 15, 2004

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004

TO: **Board of Education**

FROM: Ms. Janese Murray, Vice President, Board of Education
Mr. John Hayden, Esq., Board Member

SUBJECT: **Recommended Appointment to the Ethics Review Panel**

ORIGINATOR: Ms. Risa Schuster, Ombudsman
Administrative Assistant to the Ethics Review Panel

RECOMMENDATION

* * * * *

That the Board of Education approve the appointment of Raymond A. Hein, Esquire, to fill the current vacancy on the Ethics Review Panel.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004
TO: **BOARD OF EDUCATION**
FROM: Joe A. Hairston, Superintendent
SUBJECT: **Recommendations for Award of Contracts**
ORIGINATOR: J. Robert Haines, Deputy Superintendent, Business Services
PERSON(S): Patrick Fannon, Controller; Rick Gay, Purchasing Manager

RECOMMENDATION

That the Board of Education approves the following contract recommendations.

See the attached list of contract recommendations presented for consideration by the Board of Education of Baltimore County.

RLG/caj

Appendix I – Recommendations for Award of Contracts – Board Exhibit

**Recommendations for Award of Contracts
Board Exhibit – February 25, 2004**

The following contract recommendations are presented for consideration by the Board of Education of Baltimore County.

- 1. Contract:** Automotive Service Technology Equipment
Bid #: JNI-731-04

Term: 1 year **Extensions:** 0 **Contract Ending Date:** 12/31/04 (tentative)
Estimated total award value: \$69,000

Bid issued: January 15, 2004
Pre-bid meeting date: January 22, 2004
Bid due date: February 2, 2004
No. of vendors issued to: 6
No. of bids received: 3
No. of no-bids received: 1

Description:

The Office of Purchasing issued a solicitation for obtaining delivery, installation, and training for specialized automotive technology electronic trainers and simulators in order to update the automotive service technology completer program at Eastern Technical High School. These trainers and simulators provide cognitive and performance-based manipulative activities as outlined in the Automotive Service Excellence/National Automotive Technicians Education Foundation (ASE/NATEF) requirements using specialized tools and equipment on late model vehicles.

The specifications required the bidders to hold the prices on the equipment through December, 2004, to allow the Office of Career and Technology to purchase this equipment throughout this time period.

Recommendation:

Award of contract is recommended to:

Amtech, Arnold, MD 21012

Responsible school or office: Office of Career and Technology

Contact Person: Rhonda Hoyman

Funding Source: Office of Career and Technology, Perkins Grant Fund

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Award of Contract – Material Testing Package at Woodholme Elementary School**

ORIGINATOR: J. Robert Haines, Deputy Superintendent of Business Services

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director
Department of Physical Facilities
Richard Cassell, P.E., Administrator
Office of Engineering and Construction
J. Kurt Buckler, P.E., Head of Engineering
Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves an award of contract.

Award of Contract – Material Testing Package at Woodholme Elementary School.

Appendix I

Recommendation for Award of Contract Material Testing Package at Woodholme Elementary School February 25, 2004

On February 10, 2004, five (5) bids were received for the material testing package (1A) at Woodholme Elementary School – Bid #JMI-635-04. This construction package consists of miscellaneous material testing throughout the construction of Woodholme Elementary School. Based on the bids received, the Department of Physical Facilities recommends an award of contract to Reuling Associates, Inc., the lowest responsive bidder, in the amount of \$52,663.00.

At this time, the Department of Physical Facilities also requests approval of a 10% Change Order Allocation in the amount of \$5,266.00 to cover any unforeseen conditions and minor changes to the contract, to be authorized and approved by the Building Committee in accordance with Board Policy.

Funding for this project is available from Capital Budget Project #111 – Woodholme Elementary School.

APPROVED:



Donald F. Kremmel, Ph.D.
Executive Director

Baltimore County Public Schools
Material Testing Package (1A) - Woodholme Elementary School
Bid Number: JMI-635-04
February 10, 2004

| | Bidders' Names | | | | |
|------------------------|-----------------------|------------------|-----------------|------------------|-----------------------|
| | Reuling Associates | Campbell & Nolan | Hillis & Carnes | Penniman & Brown | Froehling & Robertson |
| Base Bid Price: | \$52,663 | \$53,300 | \$58,053 | \$63,063 | \$96,080.50 |

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004
TO: **BOARD OF EDUCATION**
FROM: Dr. J. Hairston, Superintendent
SUBJECT: **Request for Change Order – Design and Construction Administration Services at New Town High School**

ORIGINATOR: J. Robert Haines, Deputy Superintendent of Business Services

RESOURCE

PERSON(S): Donald F. Krempel, Ph.D., Executive Director
Department of Physical Facilities
Richard Cassell, P.E., Administrator
Office of Engineering and Construction
J. Kurt Buckler, P.E., Head of Engineering
Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a change order.

Request for Change Order – Design and Construction Administration Services at New Town High School.

Appendix I – Recommendation of approval of a Change Order

Appendix I

Recommendation of Approval of a Change Order Design and Construction Administration Services at New Town High School February 25, 2004

On September 12, 2000, the Board of Education approved a fee acceptance with Grimm and Parker Architects, Inc. for the design services associated with the construction of New Town High School. The Office of Career and Technology Education has requested the construction of an outdoor pavilion in order to teach their Construction Management course at New Town High School. A fee of \$12,000.00 has been negotiated with the consultant to design this outdoor pavilion. This fee includes preparation of the design for the 24 feet by 24 feet pavilion structure, the associated site work, and construction administration assistance during the bidding and construction phases.

This change order has been reviewed by our in-house engineering staff and found reasonable. At this time, the Department of Physical Facilities requests approval of a change order in the amount of \$12,000.00 with Grimm and Parker Architects, Inc. for the additional design services associated with the construction of an outdoor pavilion at New Town High School.

Funding for these additional services is available from Capital Budget Project #625 – New Town High School.

APPROVED:


Donald F. Krempe, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004
TO: **BOARD OF EDUCATION**
FROM: Dr. J. Hairston, Superintendent
SUBJECT: **Request for Change Order – Design and Construction Administration Services at Woodholme Elementary School**

ORIGINATOR: J. Robert Haines, Deputy Superintendent of Business Services

RESOURCE

PERSON(S): Donald F. Krempel, Ph.D., Executive Director
Department of Physical Facilities
Richard Cassell, P.E., Administrator
Office of Engineering and Construction
J. Kurt Buckler, P.E., Head of Engineering
Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a change order.

Request for Change Order – Design and Construction Administration Services at Woodholme Elementary School.

Appendix I – Recommendation of approval of a Change Order

Appendix I

Recommendation of Approval of a Change Order Design and Construction Administration Services at Woodholme Elementary School February 25, 2004

On June 10, 2003, the Board of Education approved a fee acceptance with Grimm and Parker Architects, Inc. for the design services for the proposed Woodholme Elementary School. As part of the permitting process, the Baltimore County Department of Permits and Development Review is requiring a traffic study to determine the vehicular impact from the proposed school on the existing road infrastructure. In order to perform this traffic study, the design consultant has requested a change order in the amount of \$6,320.00.

This change order has been reviewed by our in-house engineering staff and found reasonable. At this time, the Department of Physical Facilities requests approval of a change order in the amount of \$6,320.00 with Grimm and Parker Architects, Inc. for the addition of a traffic study for Woodholme Elementary School.

Funding for these additional services is available from Capital Budget Project #111 – Woodholme Elementary School.

APPROVED:



Donald F. Kremmel, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004
TO: **Board of Education**
FROM: Dr. Joe A. Hairston, Superintendent
SUBJECT: **Key School Legislation**

ORIGINATOR: Dr. George P. Poff, Jr.,
Assistant to the Superintendent Governmental Relations

RECOMMENDATION

* * * * *

That the Board considers taking positions on
Key School Legislation.

Attachment I – Key School Legislation
Attachment II – Senate Bill 174
Attachment III – Senate Bill 526
Attachment IV – House Bill 208
Attachment V – House Bill 345

**BALTIMORE COUNTY PUBLIC SCHOOLS
KEY SCHOOL LEGISLATION
FEBRUARY 25, 2004**

SB 1 Education – Teachers – State and Local Aid Program for Certification

Under current law, there is a program of State and local aid to teachers who pursue certification by the National Board for Professional Teaching Standards known as the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards. Each school year, the State Board is required to select, consistent with the amount provided in the State budget, a maximum of 500 teachers to participate in the Program. The law provided for the act to remain effective for a period of 7 years, and to sunset May 31, 2004. As proposed, this bill would strike the sunset provision.

Board supports SB 1.

SB 8 (HB 306) Teachers’ Retirement and Pension Systems – Reemployment of Retired Teachers – Sunset

Current law is scheduled to sunset June 30, 2004. This measure would extend the termination date until June 30, 2008, for provisions of law that allow retirees of the Teachers’ Retirement and Pension Systems to be reemployed without an earnings limitation imposed on their retirement benefit.

Board supports SB 8 (HB 306).

SB 115 Task Force to Study the Maryland Teachers’ Pension System and the Teachers’ Retirement System

This legislation would establish a 27-member task force to review and evaluate the adequacy of the two systems and, if deemed necessary, make recommendations for changes.

Changes to the benefits structure of the Maryland Teachers’ Pension and Retirement Systems have left our State with one of the least attractive systems in our nation.

Board supports SB 115.

***SB 174 (HB 741) Education – Maryland School for the Blind – Notice to Parents or Guardians of Availability of Programs**

This legislation, sponsored by Senators Klausmeier, Harris, Hollinger, and Stone, requires that local education agencies notify the parents or guardians of each blind or visually impaired child, including children with multiple disabilities, of the availability of the educational programs offered by the Maryland School for the Blind. This legislation would require a process that is already in place relative to the Maryland School for the Deaf and in fact is already employed in serving the needs of visually impaired children by the Baltimore County Public Schools.

Support is recommended for SB 174 (HB 741).

***SB 526 (HB 851) Education – Distressed Schools – Performance Incentive Grants**

This legislation, sponsored by Senator Delores Kelley, would create an incentive grant program for schools defined by the Maryland State Department of Education as in need of improvement, corrective action, or restructuring. Should these schools demonstrate “statistically significant progress” toward achieving AYP for three years, the school would be eligible to receive a \$15,000 grant.

Support is recommended for SB 526 (HB 851)

HB 162 Teacher Incentives

This legislation, requested by the State Department of Education, specifies that a classroom teacher who holds a professional certificate or a resident teacher’s certificate and teaches in a public school identified in accordance with State Board regulations as a school in need of improvement, a school under corrective action, or a restructured school that achieves adequate, yearly progress for two consecutive years shall receive a one-time stipend from the State in the amount of \$4,000, provided that the teacher taught in the school for the two years in which the school achieved adequate, yearly progress.

Board supports HB 162.

HB 199 Public School Construction – Modular Construction

This legislation would require that the Board of Public Works shall include modular construction as an approved public school construction or capital costs. It would also require that the Board of Public Works adopt regulations defining modular construction and minimum specifications for their approval as a public school construction cost.

Board supports HB 199

***HB 208 Education – County Boards of Education – Competitive Bidding**

This legislation would increase the threshold dollar amount of a contract for which a county board of education must use competitive bidding. This increase in the statutory limit from \$15,000 to \$25,000 would place local boards of education on par with the same \$25,000 limit used by the State of Maryland, counties, and other municipalities.

Support is recommended for HB 208.

***HB 345 (SB 245) Bridge to Excellence in Public Schools Act – Trigger Provision – Repeal**

This legislation would repeal the provision in the Bridge to Excellence in Public Schools Act that makes a specified level of State funding contingent upon the adoption of a joint resolution by the General Assembly before the 50th day of the Session; and repeals the provision of the Act establishing an alternative funding level of State aid for education if the joint resolution is not adopted. The genesis of this resolution is the Attorney General’s opinion that this provision of the law raises serious legal questions. The House version of the Bill was quickly heard and passed and is currently before the Senate.

Support is recommended for HB 345 (SB 245).

*Added since last Board meeting

SENATE BILL 174

Unofficial Copy
F1

2004 Regular Session
4r1712
CF 4r1407

By: **Senators Klausmeier, Britt, Conway, Dyson, Greenip, Grosfeld, Harris,
Schrader, and Stone Stone, Lawlah, Hollinger, and Pinsky**

Introduced and read first time: January 23, 2004

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 17, 2004

CHAPTER _____

1 AN ACT concerning

2 **Education - Maryland School for the Blind - Notice to Parents or Guardians**
3 **of Availability of Programs**

4 FOR the purpose of requiring local education agencies to notify the parents or
5 guardians of certain children of the availability of the educational programs
6 offered by the Maryland School for the Blind; and generally relating to providing
7 notice of educational programs offered at the Maryland School for the Blind.

8 BY adding to
9 Article - Education
10 Section 8-307.1
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Education**

16 8-307.1.

17 EACH LOCAL EDUCATION AGENCY IN THE STATE SHALL NOTIFY THE PARENTS
18 OR GUARDIANS OF EACH BLIND OR VISUALLY IMPAIRED CHILD, INCLUDING
19 CHILDREN WITH MULTIPLE DISABILITIES, OF THE AVAILABILITY OF THE
20 EDUCATIONAL PROGRAMS OFFERED BY THE MARYLAND SCHOOL FOR THE BLIND.

SENATE BILL 174

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004.

SENATE BILL 526

Unofficial Copy
F1

2004 Regular Session
4r1421
CF 4r2612

By: **Senators Kelley, Britt, Conway, Exum, Gladden, Grosfeld, Kittleman,
Lawlah, and Pinsky**

Introduced and read first time: February 6, 2004
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Distressed Schools - Performance Incentive Grants**

3 FOR the purpose of repealing certain provisions relating to teacher incentive grants;
4 reallocating certain teacher incentive grants to provide State grants to certain
5 distressed schools; requiring the Governor to include certain funds in the annual
6 State budget; requiring the State Department of Education to make a certain
7 determination; defining certain terms; and generally relating to grants for
8 certain distressed schools.

9 BY repealing

10 Article - Education
11 Section 6-306
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2003 Supplement)

14 BY adding to

15 Article - Education
16 Section 6-306
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2003 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Education**

22 [6-306.

23 (a) In this section, "county grant for national certification" means an annual
24 grant distributed to a teacher certified by the National Board for Professional
25 Teaching Standards established:

26 (1) Outside of the collective bargaining process; or

SENATE BILL 526

1 (2) As part of a collective bargaining agreement with the local employee
2 organization.

3 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor
4 shall include in each year's operating budget funding for the stipends and bonuses
5 provided in this subsection.

6 (2) A classroom teacher who holds a standard professional certificate or
7 an advanced professional certificate who is employed by a county board and who
8 holds a certificate issued by the National Board for Professional Teaching Standards
9 shall receive a stipend from the State in an amount equal to the county grant for
10 national certification, up to a maximum of \$2,000 per qualified teacher.

11 (3) (i) An individual who graduates from an accredited institution of
12 higher education with a grade point average of at least 3.5 on a 4.0 scale or its
13 equivalent, becomes employed by a county board, and remains employed as a
14 classroom teacher in the public school system for a minimum of 3 consecutive years
15 shall receive a salary signing bonus of \$1,000.

16 (ii) If the individual leaves employment with the public school
17 system before the end of the 3-year commitment, the individual shall reimburse the
18 State in the amount of \$1,000.

19 (4) A classroom teacher who holds an advanced professional certificate
20 and teaches in a public school identified by the State Board as a reconstitution school,
21 a reconstitution-eligible school, or a challenge school shall receive a stipend from the
22 State in the amount of \$2,000 for each year that the teacher performs satisfactorily in
23 the classroom.

24 (c) An individual who receives a stipend or bonus under subsection (b) of this
25 section may not be deemed an employee of the State.

26 (d) The employer of an individual who receives a stipend or bonus under
27 subsection (b) of this section shall pay the increase in fringe benefit costs associated
28 with the stipend or bonus.

29 (e) The Department shall act as fiscal agent for funds disbursed under this
30 section.]

31 6-306.

32 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
33 INDICATED.

34 (2) "ADEQUATE YEARLY PROGRESS" MEANS THE GOALS FOR STUDENT
35 ACHIEVEMENT IN THE PUBLIC SCHOOLS ESTABLISHED BY THE DEPARTMENT IN
36 ACCORDANCE WITH THE NO CHILD LEFT BEHIND ACT OF 2001, P. L. 107-201.

SENATE BILL 526

1 (3) "ELIGIBLE SCHOOL" MEANS A PUBLIC SCHOOL THAT HAS BEEN
2 IDENTIFIED BY THE DEPARTMENT AS IN NEED OF IMPROVEMENT, CORRECTIVE
3 ACTION, OR RESTRUCTURING.

4 (4) "STATISTICALLY SIGNIFICANT PROGRESS" MEANS SCHOOLWIDE
5 IMPROVEMENT IN STUDENT ACADEMIC ACHIEVEMENT THAT MEETS A STANDARD
6 ESTABLISHED BY THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

7 (B) IT IS THE INTENT OF THIS SECTION TO PROVIDE PERFORMANCE
8 INCENTIVE GRANTS TO ELIGIBLE SCHOOLS.

9 (C) FOR FISCAL YEAR 2005 AND EACH SUBSEQUENT FISCAL YEAR, THE
10 GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET FUNDING FOR
11 GRANTS FOR ELIGIBLE SCHOOLS AS PROVIDED IN THIS SECTION.

12 (D) (1) THE AMOUNT OF THE GRANT FOR AN ELIGIBLE SCHOOL IS \$15,000
13 FOR A SCHOOL YEAR.

14 (2) A GRANT TO AN ELIGIBLE SCHOOL MAY BE RENEWED ANNUALLY SO
15 LONG AS THE SCHOOL MAINTAINS STATISTICALLY SIGNIFICANT PROGRESS OR
16 UNTIL IT ACHIEVES ADEQUATE YEARLY PROGRESS.

17 (E) EACH SCHOOL YEAR, THE DEPARTMENT SHALL:

18 (1) IDENTIFY EACH ELIGIBLE SCHOOL THAT DEMONSTRATES
19 STATISTICALLY SIGNIFICANT PROGRESS TOWARD ACHIEVING ADEQUATE YEARLY
20 PROGRESS FOR EACH OF THE 3 PRECEDING SCHOOL YEARS; AND

21 (2) DISTRIBUTE A GRANT TO EACH ELIGIBLE SCHOOL IN ACCORDANCE
22 WITH SUBSECTION (D) OF THIS SECTION.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2004.

HOUSE BILL 208

Unofficial Copy
F1

2004 Regular Session
4r0167

**By: Chairman, Health and Government Operations Committee (By Request
- Departmental - Education)**

Introduced and read first time: January 22, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - County Boards of Education - Competitive Bidding**

3 FOR the purpose of increasing the threshold dollar amount of a contract for which a
4 county board of education must use competitive bidding; providing that a certain
5 threshold amount shall be the same as a certain amount that applies to units of
6 State government under certain circumstances; making a stylistic change; and
7 generally relating to public school procurement.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 5-112
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Education**

16 5-112.

17 (a) This section does not apply to:

18 (1) Contracts for the purchase of books and other materials of instruction
19 as defined in the State Department of Education Financial Reporting Manual;

20 (2) Emergency repairs; and

21 (3) A county board's participation in contracts for goods or commodities
22 that are awarded by other public agencies or by intergovernmental purchasing
23 organizations if the lead agency for the contract follows public bidding procedures.

24 (b) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
25 IF the cost of any school building, improvement, supplies, or equipment is more than

1 [\$15,000] \$25,000, the county board, at least 2 weeks before bids are to be filed, shall
2 advertise for bids in a medium accessible to the general public, which includes:

- 3 (i) A newspaper of general circulation in the region;
- 4 (ii) The Maryland Contract Weekly or comparable State
5 publication; or
- 6 (iii) An electronic posting on a bid board and physical posting on the
7 local school system bid board.

8 (2) IF THE AMOUNT SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION
9 DIFFERS FROM THE AMOUNT IN § 13-109(A) OF THE STATE FINANCE AND
10 PROCUREMENT ARTICLE, THE AMOUNT IN § 13-109(A) OF THE STATE FINANCE AND
11 PROCUREMENT ARTICLE SHALL APPLY UNDER PARAGRAPH (1) OF THIS SUBSECTION.

12 [(2)] (3) (i) The county board shall draft specifications that provide a
13 clear and accurate description of the functional characteristics or the nature of an
14 item to be procured, without modifying the county board's requirements.

15 (ii) The specifications may:

- 16 1. Include a statement of any of the county board's
17 requirements; and
- 18 2. Provide for the submission of samples, inspection, or
19 testing of the item before procurement.

20 [(3)] (4) (i) Except as provided in subparagraph (ii) of this
21 [subsection] PARAGRAPH, specifications that use one or more manufacturer's product
22 to describe the standard of quality, performance, or other characteristics needed to
23 meet the county board's requirements, must allow for the submission of equivalent
24 products.

25 (ii) Subparagraph (i) of this paragraph does not apply if the county
26 board determines in the written specification that:

- 27 1. A particular manufacturer's product is required to
28 maintain compatibility of service or equipment;
- 29 2. A particular manufacturer's product is required to meet
30 the health needs of students;
- 31 3. Replacement parts or maintenance are a paramount
32 consideration; or
- 33 4. A product is purchased for resale.

34 (c) (1) A contract for the school building, improvements, supplies, or other
35 equipment shall be awarded to the lowest responsible bidder who conforms to
36 specifications with consideration given to:

HOUSE BILL 208

- 1 (i) The quantities involved;
- 2 (ii) The time required for delivery;
- 3 (iii) The purpose for which required;
- 4 (iv) The competency and responsibility of the bidder;
- 5 (v) The ability of the bidder to perform satisfactory service; and
- 6 (vi) The plan for utilization of minority contractors.

7 (2) The county board may reject any and all bids and readvertise for
 8 other bids.

9 (d) (1) In this subsection, the term "minority business enterprise" has the
 10 meaning stated in § 14-301 of the State Finance and Procurement Article.

11 (2) In Montgomery County, by resolution and by implementing
 12 regulations, the Montgomery County Board of Education shall establish a minority
 13 business utilization program to facilitate the participation of responsible certified
 14 minority business enterprises in contracts awarded by the Montgomery County Board
 15 of Education in accordance with competitive bidding procedures.

16 (e) Nonpublic schools may participate under any contracts for goods or
 17 commodities that are awarded by county boards, other public agencies, or
 18 intergovernmental purchasing organizations, if the lead agency for the contract
 19 award follows public bidding procedures.

20 (f) A contract entered into or purchase made in violation of this section is void.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
 22 effect July 1, 2004.

HOUSE BILL 345
EMERGENCY BILL

Unofficial Copy
F1

2004 Regular Session
4r1241
CF 4r1718

By: **Delegates Hixson, Bozman, Healey, Anderson, Barkley, Barve, Benson, Bobo, Bronrott, Brown, Burns, Busch, Cane, Cardin, G. Clagett, Conway, C. Davis, D. Davis, DeBoy, Donoghue, Dumais, Feldman, Frush, Gaines, Goldwater, Goodwin, Gordon, Griffith, Gutierrez, Harrison, Haynes, Howard, Hurson, Jones, Kaiser, Kelley, King, Kirk, Krysiak, Lee, Love, Madaleno, Malone, Mandel, Marriott, McHale, McIntosh, Menes, Mitchell, Moe, Montgomery, Murray, Nathan-Pulliam, Niemann, Owings, Parker, Patterson, Pendergrass, Petzold, Proctor, Quinter, Ramirez, Rosenberg, Sophocleus, Taylor, F. Turner, V. Turner, Vallario, Vaughn, Weir, Wood, and Zirkin Zirkin, Cryor, Heller, and Ross**

Introduced and read first time: January 28, 2004

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 12, 2004

CHAPTER _____

1 AN ACT concerning

2 **Bridge to Excellence in Public Schools Act - Trigger Provision - Repeal**

3 FOR the purpose of repealing the provision in the Bridge to Excellence in Public
4 Schools Act, commonly referred to as the "trigger provision", that makes certain
5 State aid for education contingent on the adoption of a joint resolution by the
6 General Assembly by a certain date; repealing the provision of the Act
7 establishing an alternative funding level of State aid for education if the joint
8 resolution is not adopted by a certain date; making this Act an emergency
9 measure; and generally relating to the repeal of the trigger provision in the
10 Bridge to Excellence in Public Schools Act.

11 BY repealing and reenacting, with amendments,
12 Chapter 288 of the Acts of the General Assembly of 2002
13 Section 20

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

Chapter 288 of the Acts of 2002

2 SECTION 20. AND BE IT FURTHER ENACTED, That:

3 (a) Except as otherwise provided in this section, Sections 1 and 2 of this Act
4 shall take effect July 1, 2003.

5 (b) On or before September 30, 2002, the Prince George's County Board of
6 Education shall develop and submit to the State Department of Education a
7 comprehensive master plan that meets the requirements of § 5-401 of the Education
8 Article as enacted under Section 2 of this Act.

9 (c) On or before September 30, 2002, the State Department of Education shall
10 contract with a private entity to conduct the study required under § 5-202(f)(2) of the
11 Education Article as enacted under Section 2 of this Act.

12 [(d) (1) For the additional State aid for education as enacted by Section 2 of
13 this Act to be implemented in fiscal 2005, the General Assembly at the 2004 regular
14 session shall affirm by joint resolution adopted no later than the fiftieth day of the
15 session that the additional State aid for education is within the State's fiscal
16 resources for fiscal 2005.

17 (2) If a joint resolution pursuant to paragraph (1) of this subsection is
18 not adopted by the fiftieth day, then the additional State aid for education contained
19 in Section 2 of this Act shall be funded in fiscal 2005 at 105 percent of the fiscal 2004
20 level as enacted by Section 2 of this Act for each county from the appropriations
21 proposed by the Governor for the additional State aid enacted by Section 2 of this Act.
22 The balance of the appropriations proposed by the Governor for additional State aid
23 for education shall revert to the General Fund.

24 (e) If subsection (d)(2) of this section is implemented, then the additional
25 State aid for education contained in Section 2 of this Act shall be funded at the
26 following percentage of the fiscal 2004 level as enacted by Section 2 of this Act for
27 each county:

28 (1) 110.25 percent in fiscal 2006;

29 (2) 115.75 percent in fiscal 2007; and

30 (3) 121.50 percent in fiscal 2008.]

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
32 measure, is necessary for the immediate preservation of the public health or safety,
33 has been passed by a yea and nay vote supported by three-fifths of all the members
34 elected to each of the two Houses of the General Assembly, and shall take effect from
35 the date it is enacted.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004

TO: **BOARD OF EDUCATION**

FROM: **Dr. J. Hairston, Superintendent**

SUBJECT: Conduct: Tobacco Rule 2372

ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction

RESOURCE PERSON(S): Jean Satterfield, Executive Director, Student Support Services
Michele Prumo, Coordinator, Health Services

INFORMATION

That Conduct: Tobacco Rule 2372 is presented to the Board of Education as an information item.

ADMINISTRATION: Administrative Operations

Conduct: Tobacco

I. DEFINITIONS

- A. SCHOOL BUILDINGS SHALL MEAN LOCAL SCHOOL SYSTEM OR LEASED BUILDINGS. THIS INCLUDES SCHOOLS, CENTRAL OFFICES, WAREHOUSES, GARAGES, OR OTHER BUILDINGS BELONGING TO THE SCHOOL SYSTEM REGARDLESS OF WHETHER OR NOT STUDENTS ARE PRESENT.
- B. SCHOOL VEHICLES SHALL MEAN ANY VEHICLE OWNED OR LEASED BY THE SCHOOL SYSTEM.
- C. SCHOOL GROUNDS SHALL MEAN LOCAL SCHOOL SYSTEM OWNED OR LEASED LAND THAT SURROUNDS A SCHOOL BUILDING.
- D. TOBACCO SHALL MEAN PRODUCTS DERIVED FROM THE TOBACCO PLANT THAT IS SMOKED, CHEWED, SNIFFED, OR OTHERWISE CONSUMED. THIS SHALL NOT INCLUDE NICOTINE REPLACEMENT THERAPY.

II. PROCEDURES

- A. EMPLOYEES WILL BE NOTIFIED OF POLICY 2372 WHEN HIRED BY THE DEPARTMENT OF PERSONNEL AND ANNUALLY THEREAFTER BY THE OFFICE OF SAFE AND DRUG-FREE SCHOOLS.
- B. SIGNS TO BE SUPPLIED BY THE OFFICE OF HEALTH SERVICES—EMPLOYEE WELLNESS PROGRAM—REMINDING ALL STAFF, VISITORS, AND STUDENTS OF THE TOBACCO-FREE ENVIRONMENT, WILL BE POSTED ON ALL SCHOOL SYSTEM BUILDINGS OWNED OR LEASED BY BALTIMORE COUNTY PUBLIC SCHOOLS.
- C. NON-BOARD OF EDUCATION GROUPS WHO REQUEST THE USE OF A SCHOOL SYSTEM OWNED OR LEASED BUILDING WILL BE INFORMED OF POLICY 2372 THROUGH THE RULES AND

PROCEDURES ON THE “APPLICATION FOR USE OF SCHOOL FACILITIES.”

- D. SMOKING CESSATION INFORMATION MAY BE OBTAINED THROUGH THE OFFICE OF HEALTH SERVICES—EMPLOYEE WELLNESS PROGRAM.

III. NONCOMPLIANCE

- A. AN EMPLOYEE OF THE BOARD OF EDUCATION FOUND TO BE IN NONCOMPLIANCE WITH POLICY 2372:
 - 1. FIRST VIOLATION—BE GIVEN A VERBAL WARNING AND REVIEW OF POLICY BY THE SUPERVISOR.
 - 2. SECOND VIOLATION—MEET WITH THE SUPERVISOR WHO WILL REVIEW THE TOBACCO-FREE ENVIRONMENT POLICY AND WHO MAY RECOMMEND FURTHER REMEDIAL ACTION BY REFERRING THE EMPLOYEE TO THE EMPLOYEE ASSISTANCE PROGRAM FOR COUNSELING AND FOR REFERRAL TO TOBACCO USE CESSATION PROGRAMS.
 - 3. THIRD VIOLATION—WILL RESULT IN FURTHER DISCIPLINARY ACTION.

- B. A NON-EMPLOYEE OF THE BOARD OF EDUCATION FOUND TO BE IN NONCOMPLIANCE WITH POLICY 2372 SHALL BE SUBJECT TO THE FOLLOWING:
 - 1. FIRST VIOLATION—GIVEN A VERBAL WARNING AND REVIEW OF POLICY.
 - 2. CONTINUED OR SECOND VIOLATION—ASKED TO LEAVE PREMISES.
 - 3. CONTINUED OR THIRD VIOLATION—ISSUED A NO TRESSPASS LETTER

- C. GROUPS THAT LEASE SCHOOL BUILDINGS OR OFFICES WILL BE INFORMED THAT THEIR CONTRACT WILL BE AT RISK OF NONRENEWAL IF THEIR USERS DO NOT COMPLY WITH BOARD POLICY.

RULE
APPROVED:

Superintendent of Schools

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 25, 2004

TO: BOARD OF EDUCATION

FROM: **Dr. J. Hairston, Superintendent**

SUBJECT: STUDENTS: Enrollment and Attendance Rule 5150

ORIGINATOR: Christine M. Johns, Deputy Superintendent of Curriculum and Instruction

RESOURCE PERSON(S): Jean Satterfield, Executive Director, Student Support Services
Vivian Ferguson, Coordinator, Pupil Personnel Services
Carol Batoff, Residency Liaison

INFORMATION

That STUDENTS: Enrollment and Attendance Rule 5150 is presented to the Board of Education as an information item

JS/ds
Appendix I – Rule 5150

STUDENTS: Enrollment and Attendance

[In accordance with §7-301 of the Education Article of the Annotated Code of Maryland, a child five (5) years old or older and under twenty-one (21) shall be admitted to Baltimore County Public Schools (“school”) without the payment of tuition. In accordance with §7-101 of the Education Article of the Annotated Code of Maryland, any child who is domiciled with the child’s parent(s)/guardian(s) in Baltimore County shall attend his or her assigned home school. (See, Policy 5150.)]

IN ACCORDANCE WITH §7-101 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND, ANY CHILD FIVE (5) YEARS OLD OR OLDER AND UNDER TWENTY-ONE (21) AND WHO IS DOMICILED WITH THE CHILD’S PARENT(S)/LEGAL GUARDIAN(S) IN BALTIMORE COUNTY SHALL BE ADMITTED TO BALTIMORE COUNTY PUBLIC SCHOOLS (“SCHOOL”) WITHOUT THE PAYMENT OF TUITION AND SHALL ATTEND HIS OR HER ASSIGNED HOME SCHOOL UNLESS A SPECIAL TRANSFER HAS BEEN APPROVED IN ACCORDANCE WITH BOARD POLICY AND RULE 5140.

I. DEFINITIONS

- A. “BALTIMORE COUNTY PUBLIC SCHOOLS EMPLOYEE” MEANS “PUBLIC SCHOOL EMPLOYEE,” “CONFIDENTIAL EMPLOYEE,” “SUPERVISORY EMPLOYEE” OR “MANAGEMENT EMPLOYEE,” AS DEFINED BY §6-404 AND §6-501 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
- B. “CHILD” MEANS AN INDIVIDUAL NOT CURRENTLY ENROLLED IN BALTIMORE COUNTY PUBLIC SCHOOLS.
- C. “CHILD OF EMPLOYEE” MEANS NATURAL CHILD OR A CHILD UNDER A COURT-ORDERED GUARDIANSHIP OF AN EMPLOYEE.
- D. “FRAUDULENT ENROLLMENT” MEANS INTENTIONAL MISREPRESENTATION OF MATERIAL FACT REGARDING DOMICILE OR THE FAILURE TO NOTIFY BALTIMORE COUNTY PUBLIC SCHOOLS OF A CHANGE IN DOMICILE WITHIN A REASONABLE TIME.
- E. “GUARDIAN” MEANS A LEGAL GUARDIAN OF A CHILD OR OF A STUDENT, WHO IS APPOINTED BY A COURT.
- F. “RESIDENTIAL DWELLING UNIT” MEANS ONE OR MORE ROOMS IN A RESIDENTIAL BUILDING OR STRUCTURE, SUCH AS A

HOUSE, APARTMENT, CONDOMINIUM OR TRAILER, THAT IS USED FOR LIVING PURPOSES.

- G. "STUDENT" MEANS AN INDIVIDUAL CURRENTLY ENROLLED IN BALTIMORE COUNTY PUBLIC SCHOOLS.
- H. "INFORMAL KINSHIP CARE" MEANS A LIVING ARRANGEMENT IN WHICH A RELATIVE OF A CHILD, WHO IS NOT IN THE CARE CUSTODY, GUARDIANSHIP OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES, PROVIDES FOR THE CARE AND CUSTODY OF CHILD DUE TO A SERIOUS FAMILY HARDSHIP **AS DEFINED BY 7-101 OF THE EDUCATION ARTICLE**, AND IF THE PARENT(S)/GUARDIAN(S) IS DOMICILED OUTSIDE OF BALTIMORE COUNTY BUT INSIDE THE STATE OF MARYLAND.
- I. "RELATIVE," **FOR THE PURPOSE OF DETERMINING** INFORMAL KINSHIP CARE, MEANS AN ADULT RELATED TO THE CHILD BY BLOOD OR MARRIAGE WITHIN THE FIFTH DEGREE OF CONSANGUINITY.

[I] II. Resident Student

A. *Verification of Domicile*

When registering for enrollment into school, proof that the child is domiciled in Baltimore County with the child's parent(s)/guardian(s) is required. Domicile is determined on a case-by-case basis, and the burden of establishing the child's domicile with the parent(s)/guardian(s) is on the child, parent(s), and/or guardian(s).

- 1. Prior to enrollment, a school administrator [should] WILL require as proof of the child's domicile with the parent(s)/guardian(s) a copy of one of the following documents, subject to verification **BY BALTIMORE COUNTY PUBLIC SCHOOLS ADMINISTRATOR OR DESIGNEE:**
 - [1] a. [Documents that] DEED establishING [home] ownership of a RESIDENTIAL DWELLING UNIT [house] in Baltimore County in which the child is domiciled with the child's parent(s) and/or guardian(s).
 - b. SIGNED SETTLEMENT SHEET ESTABLISHING OWNERSHIP OF A RESIDENTIAL DWELLING UNIT IN BALTIMORE COUNTY IN WHICH THE CHILD IS

DOMICILED WITH THE CHILD'S PARENT(S) AND/OR GUARDIAN(S).

c. TITLE ESTABLISHING OWNERSHIP OF A RESIDENTIAL DWELLING UNIT IN BALTIMORE COUNTY IN WHICH THE CHILD IS DOMICILED WITH THE CHILD'S PARENT(S) AND/OR GUARDIAN(S).

d. MORTGAGE COUPON BOOK ESTABLISHING OWNERSHIP OF A RESIDENTIAL DWELLING UNIT IN BALTIMORE COUNTY IN WHICH THE CHILD IS DOMICILED WITH THE CHILD'S PARENT(S) AND/OR GUARDIAN(S).

[2.]e. [Baltimore County real] REAL estate tax bill or receipt for RESIDENTIAL DWELLING UNIT [house] in which the child and parent(s)/guardian(s) are domiciled.

(1) IF ANY PORTION OF THE RESIDENTIAL DWELLING UNIT, EITHER OWNED OR RENTED, LIES WITHIN BALTIMORE COUNTY, AS DETERMINED BY THE REAL ESTATE BILL, THE STUDENT MAY ATTEND THE DESIGNATED BALTIMORE COUNTY PUBLIC SCHOOL.

[3.]f. Lease or rental agreement FROM A REAL ESTATE MANAGEMENT COMPANY OR COMMERCIAL LESSOR TO THE PARENT(S)/GUARDIAN(S) FOR A RESIDENTIAL DWELLING UNIT [for house or apartment] located in Baltimore County in which the child and parent(s)/guardian(s) are domiciled.

[4. In cases where the property line (either owned or rented) lies both within Baltimore County and another subdivision, the property bill is used to determine residency, i.e., if any portion of the property lies within Baltimore County, the student may attend the designated Baltimore County Public School.]

g. LEASE OR RENTAL AGREEMENT FROM A PRIVATE PARTY OWNER TO THE PARENT(S)/GUARDIAN(S) OF A RESIDENTIAL DWELLING UNIT LOCATED IN BALTIMORE COUNTY. DOCUMENTS WHICH ESTABLISH OWNERSHIP BY THE PRIVATE PARTY OF

THE PROPERTY IN BALTIMORE COUNTY, SUCH AS A DEED TO THE PROPERTY, REAL ESTATE TAX BILL, OR MORTGAGE COUPON BOOK MUST ALSO BE SUBMITTED TO PROVIDE PROOF OF OWNERSHIP BY THE PRIVATE PARTY LESSOR/**OWNER**.

2. IN ADDITION TO THE REQUIREMENTS SET FORTH IN SECTION II.A.1.a.-g., PARENT(S)/GUARDIAN(S) MUST PRESENT A PHOTO IDENTIFICATION AND THREE OF THE FOLLOWING **DOCUMENTS** TO ESTABLISH NAME AND ADDRESS:

- a. FEDERAL OR STATE INCOME TAX RETURN FOR THE IMMEDIATE PREVIOUS YEAR
- b. W-2 FORM FOR THE CURRENT YEAR
- c. NOTARIZED STATEMENT ON COMPANY LETTERHEAD FROM AN EMPLOYER
- d. MAILING TO THE PARENT(S)/GUARDIAN(S) FROM A GOVERNMENT AGENCY
- e. CHARGE ACCOUNT/CREDIT CARD BILLING STATEMENT
- f. BANK ACCOUNT STATEMENT
- g. UTILITY BILL
- h. CABLE BILL
- i. VOTER'S REGISTRATION CARD
- j. MOTOR VEHICLE ADMINISTRATION VEHICLE REGISTRATION
- k. DRIVER'S LICENSE, MARYLAND IDENTIFICATION CARD, OR AGE OF MAJORITY CARD FROM MOTOR VEHICLE ADMINISTRATION
- l. NOTARIZED LETTER FROM LANDLORD ACKNOWLEDGING SHARED DOMICILE ARRANGEMENT

- m. COURT DOCUMENTS
- n. GOVERNMENT-ISSUED LICENSE AND/OR PROFESSIONAL CERTIFICATE
- o. FIRST CLASS MAIL **FROM A BUSINESS OR AGENCY**
- p. HEALTH CENTER MAILING OF APPOINTMENT VERIFICATION
- q. RECEIPT FOR IMMUNIZATIONS FROM HEALTH CENTER
- r. MAILING FROM A BALTIMORE COUNTY PUBLIC SCHOOL OR OFFICE
- s. PAYCHECK/PAYSTUB STATING NAME AND ADDRESS
- t. OTHER DOCUMENTATION ACCEPTABLE TO THE PUPIL PERSONNEL WORKER OR RESIDENCY OFFICER.

3. IF THE DOMICILE OF THE STUDENT AND/OR PARENT(S)/GUARDIAN(S) CHANGES AT ANY TIME, THE PARENT(S)/GUARDIAN(S) IS RESPONSIBLE FOR NOTIFYING THE STUDENT'S SCHOOL IMMEDIATELY. IF THE NEW DOMICILE IS LOCATED IN **ANOTHER SCHOOL ATTENDANCE AREA WITHIN** BALTIMORE COUNTY, THE PARENT(S)/GUARDIAN(S) MUST VERIFY THE NEW DOMICILE IN ACCORDANCE WITH THIS RULE. CONTINUED ENROLLMENT IN THE CURRENT SCHOOL IS SUBJECT TO THE PROVISIONS OF BOARD OF EDUCATION POLICY AND SUPERINTENDENT'S RULE 5140 **STUDENTS: ENROLLMENT AND ATTENDANCE.**

B. [Multiple Family] SHARED DOMICILE [Living] Arrangement

[If t]The parent(s)/guardian(s) [is unable to provide one of the items listed above and the parent(s)/guardian(s) states that the family is domicile in Baltimore County in a house or apartment] MAY PROVE RESIDENCY THROUGH A SHARED DOMICILE ARRANGEMENT. IF THE

PARENT(S)/GUARDIAN(S) STATES THAT THE CHILD IS DOMICILED WITH THE PARENT(S)/GUARDIAN(S) IN A RESIDENTIAL DWELLING UNIT LOCATED IN BALTIMORE COUNTY with another [family] PERSON OR PERSONS, the parent(s)/guardian(s) is required to complete the [multiple family living] SHARED DOMICILE arrangement process with the residency officer OR PUPIL PERSONNEL WORKER servicing the local school. [In the event that a review of the multiple family living arrangement is determined to be fraudulent, the resident and parent(s)/guardian(s) will be liable for payment of the nonresident tuition.]

[In certain cases, the residency officer or pupil personnel worker should consult with the residency liaison or Coordinator of Pupil Personnel Services before making a final decision.]

1. PROCESS FOR ESTABLISHING SHARED DOMICILE ARRANGEMENT

- a. THE PARENT(S)/GUARDIAN(S) MUST CONTACT THE RESIDENCY OFFICER SERVING THE SCHOOL ATTENDANCE AREA IN WHICH THE CHILD AND PARENT(S)/GUARDIAN(S) WILL BE DOMICILED.
- b. THE RESIDENCY OFFICER OR PUPIL PERSONNEL WORKER WILL FORWARD TO THE PARENT(S)/GUARDIAN(S) **THE BALTIMORE COUNTY PUBLIC SCHOOLS** SHARED DOMICILE DISCLOSURE FORM, WHICH THE PARENT(S)/GUARDIAN(S) MUST COMPLETE, SIGN, AND HAVE NOTARIZED.
- c. THE OWNER OR LEASEHOLDER OF THE RESIDENTIAL DWELLING UNIT IN WHICH THE CHILD AND PARENT(S)/GUARDIAN(S) ARE DOMICILED MUST PRODUCE THE DOCUMENTATION SET FORTH IN SECTION II.A. TO ESTABLISH THE OWNERSHIP OR LEASHEHOLDED INTEREST.
- d. THE OWNER OR LEASEHOLDER OF THE RESIDENTIAL DWELLING UNIT MUST SIGN AND HAVE NOTARIZED THE SHARED DOMICILE DISCLOSURE FORM.

- e. THE PARENT(S)/GUARDIAN(S) MUST SUBMIT TO THE RESIDENCY OFFICER OR PUPIL PERSONNEL WORKER A PHOTO IDENTIFICATION AND THREE (3) ITEMS OF PROPER DOCUMENTATION OF RESIDENCY LISTED IN SECTION I.A.2.a.-t. TO ESTABLISH NAME AND ADDRESS.
- f. THE RESIDENCY OFFICER OR PUPIL PERSONNEL WORKER WILL MEET WITH THE PARENT(S)/GUARDIAN(S), REVIEW ALL DOCUMENTATION PRESENTED, VERIFY THAT THE DOCUMENTATION COMPLIES WITH THIS RULE, AND APPROVE OR DENY ENROLLMENT.
- g. IF APPROVED, ENROLLMENT BY SHARED DOMICILE ARRANGEMENT IS FOR THE CURRENT SCHOOL YEAR ONLY. TO BE CONSIDERED FOR ENROLLMENT IN **ANY** SUBSEQUENT YEAR, THE PARENT(S)/GUARDIAN(S) MUST COMPLETE AND SUBMIT TO THE SCHOOL BY JUNE 30, THE SHARED DOMICILE DISCLOSURE RENEWAL FORM, WHICH WILL BE PROVIDED **BY JUNE 1 OF THE CURRENT** SCHOOL YEAR. PHOTO IDENTIFICATION AND THREE CURRENT PROOFS OF DOMICILE AS OUTLINED IN PARAGRAPH II.A. MUST BE SUBMITTED WITH THE RENEWAL FORM TO THE SCHOOL. A NEW SHARED DOMICILE DISCLOSURE FORM MUST BE SUBMITTED TO THE RESIDENCY OFFICER IF THE RENEWAL PROCESS IS NOT COMPLETED BY JUNE 30.

[C. Verification of Review

If proper documentation is not submitted to support verification of domicile of the child with his/her parent(s)/guardian(s) in Baltimore County, then the child should not be enrolled; the parent(s)/guardian(s) and child should be advised of the necessity to enroll in the school system serving the area where they are domiciled. If the parent(s)/guardian(s) continue to contend that they are domiciled in Baltimore County, the parent(s)/guardian(s) may appeal to the residency liaison.]

III. BALTIMORE COUNTY PUBLIC SCHOOLS **IS SUBJECT TO THE** REQUIREMENTS OF THE FEDERAL MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE IMPROVEMENT ACT OF 2001. PRINCIPALS

OR THEIR DESIGNEES SHALL REFER IMMEDIATELY HOMELESS CHILDREN TO THE PUPIL PERSONNEL WORKER.

[II]IV. Nonresident Student

[A. Definition

A nonresident student is a child who is domiciled with his/her parent(s)/guardian(s) outside of Baltimore County.

B. *Enrollment]*

A. A child may attend Baltimore County Public Schools as a nonresident student even if the child is not domiciled in Baltimore County with his/her parent(s)/guardian(s) ONLY upon the SPECIFIC, written authority from the Superintendent and/or the pupil personnel worker. PRINCIPALS ARE NOT AUTHORIZED TO APPROVE ENROLLMENT OF NONRESIDENT STUDENTS WITHOUT SUCH WRITTEN AUTHORIZATION.

B. In accordance with §7-101(b)(2) of the Education Article OF THE ANNOTATED CODE OF MARYLAND, the Superintendent may allow a child to attend Baltimore County Public Schools even if the child is not domiciled in Baltimore County with the child's parent(s)/guardian(s) if:

1. A child is placed in a Baltimore County adoptive home, foster home and/or residential institution as a child in an out-of-county OR OUT-OF-STATE living arrangement as defined in §4-122 of the Education Article OF THE ANNOTATED CODE OF MARYLAND. Financial responsibility for children in out-of-county OR OUT-OF-STATE living arrangements will be assessed in accordance with §4-122 of the Education Article OF THE ANNOTATED CODE OF MARYLAND. IN ACCORDANCE WITH §4-122 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AN OUT-OF-STATE AGENCY THAT ARRANGES FOR A CHILD'S PLACEMENT FOR ADOPTION IN MARYLAND IS NOT RESPONSIBLE FOR PAYING THE EDUCATIONAL COSTS ASSOCIATED WITH THE CHILD.

2. The student is a foreign student:

- a. ON A J-1 VISA AND IS [S]sponsored by a school exchange program APPROVED BY BALTIMORE COUNTY PUBLIC SCHOOLS.
 - b. ENROLLED [Admitted] on a student visa FOR ONE YEAR ONLY in accordance with federal immigration laws. TUITION SHALL BE PAID IN ACCORDANCE WITH SECTION IV.D. TUITION.
3. The child's parent(s)/guardian(s) provides appropriate documentation, SUCH AS SETTLEMENT SHEET OR LEASE AGREEMENT, that the child will be domiciled with his or her parent(s)/guardian(s) in Baltimore County prior to November 1 OF THE SCHOOL YEAR. The child shall be admitted at the beginning of THE school YEAR without payment of tuition. After November 1, if the child is not domiciled with his or her parent(s)/guardian(s) in Baltimore County, tuition shall be charged[.] FROM THE BEGINNING OF THE SCHOOL YEAR UNTIL THE END OF THE SEMESTER AND THE STUDENT WILL BE WITHDRAWN AT THE END OF THE SEMESTER. (See [II]IV[C.]D. Tuition.)
 4. A student's family moves from Baltimore County during the school year, the student may complete that [school year] SEMESTER in his/her current Baltimore County Public School AS A NONRESIDENT STUDENT. Tuition shall be paid **IN FULL WITHIN 30 DAYS** by the student's parent(s)/guardian(s) FOR THE REMAINDER OF THE SEMESTER. (See [II]IV [C.]D. Tuition) **THE STUDENT WILL BE WITHDRAWN AT THE END OF THE SEMESTER IF THE TUITUION IN FULL IS NOT PAID.**
 5. A student has completed grade 11 in a Baltimore County high school AND THE PARENT(S)/GUARDIAN(S) MOVES FROM BALTIMORE COUNTY, that student may complete grade 12 in his/her current Baltimore County Public School. Tuition shall be paid by the student's parent(s)/guardian(s). (See [II]IV[C.]D. Tuition.) FAILURE TO PAY ANNUAL TUITION IN FULL BY THE END OF THE FIRST SEMESTER WILL RESULT IN IMMEDIATE WITHDRAWAL AT THE END OF THE FIRST SEMESTER.
 6. A child is a patient at a hospital, sanitarium or convalescent home located in Baltimore County. Tuition shall be paid by the child's parent(s)/guardian(s). (See [II]IV[C.]D. Tuition.)

7. The child [is a child] of a Baltimore County Public Schools employee **MAY BE ENROLLED IF THE CHILD AND EMPLOYEE MEET THE FOLLOWING CRITERIA.** [A child includes a natural child or one under the court-ordered guardianship of an employee. An “employee” means “public school employee,” “confidential employee,” “supervisory employee,” or “management employee” as defined by Article 6 (or §6-404 and §6-501) of the Education Article of the Annotated Code of Maryland. A child of an employee may attend the school which is closest to the primary work site or home school (office) of the employee regardless of the school’s overcrowded conditions. Tuition shall be assessed at \$1,000 if the child is enrolled prior to January 1, and the employee is domiciled within the state of Maryland. Tuition shall be assessed at \$500 if the child is enrolled after January 1, and the employee is domiciled within the state of Maryland. Tuition shall be assessed at \$2,700 if the child is enrolled prior to January 1, and the employee is domiciled outside of the state of Maryland. Tuition shall be assessed at \$1,350 if the child is enrolled after January 1, and the employee is domiciled outside of the state of Maryland. If employment of parent(s)/guardian(s) ends during that school year, the student may complete that school year in his/her current Baltimore County Public School.]

[a. A child of an employee whose primary work site or home school (office) is in a magnet school may be allowed to enroll in that school in accordance with the provisions of this section if said child qualifies for admission in accordance with Policy and Rule 6130, Instruction: Magnet Schools and Programs. Upon qualification, admission is granted for said child without entry into the lottery selection process.]

a. **A CHILD OF AN EMPLOYEE MAY ATTEND THE SCHOOL WHICH IS WITHIN THE ATTENDANCE AREA OF THE PRIMARY WORK SITE OF THE EMPLOYEE REGARDLESS OF THE SCHOOL’S OVERCROWDED CONDITIONS AS DEFINED IN SUPERINTENDENT RULE 5140, SECTION II.D.7.**

(1) **TUITION SHALL BE ASSESSED AT \$1,000 IF THE CHILD IS ENROLLED PRIOR TO JANUARY 1 AND THE EMPLOYEE IS DOMICILED WITHIN THE STATE OF MARYLAND. TUITION SHALL**

BE ASSESSED AT \$500 IF THE CHILD IS ENROLLED AFTER JANUARY 1, OR IF THE CHILD IS ENROLLED IN A HALF-DAY KINDERGARTEN PROGRAM, AND THE EMPLOYEE IS DOMICILED WITHIN THE STATE OF MARYLAND. IF EMPLOYMENT OF PARENT(S)/GUARDIAN(S) ENDS DURING THAT SCHOOL YEAR, THE STUDENT MAY COMPLETE THAT SEMESTER IN HIS/HER BALTIMORE COUNTY PUBLIC SCHOOL.

- (2) IF THE EMPLOYEE IS DOMICILED OUTSIDE OF THE STATE OF MARYLAND, TUITION FEES SHALL ALSO INCLUDE THE STATE PER PUPIL BASIC COST FOR THE SCHOOL YEAR OF ENROLLMENT IN ACCORDANCE WITH §5-201 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND. (SEE IV-D. TUITION.) IF EMPLOYMENT OF PARENT(S)/GUARDIAN(S) ENDS DURING THAT SCHOOL YEAR, THE STUDENT MAY COMPLETE THAT SEMESTER IN HIS/HER BALTIMORE COUNTY PUBLIC SCHOOL.

[b. A child of an employee whose primary work site or home school (office) is not in a magnet school may be allowed to enroll in a magnet school in accordance with the provisions of this section if said child qualifies for admission in accordance with Policy and Rule 6130, Instruction: Magnet Schools and Programs. The said child will be given no special preference and must participate in the lottery selection process.]

b. IF THE REQUESTED SCHOOL IS A MAGNET SCHOOL, THE CHILD **OF AN EMPLOYEE** MUST QUALIFY FOR ADMISSION IN ACCORDANCE WITH BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 6130, “INSTRUCTION: MAGNET SCHOOLS AND PROGRAMS,” AND BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 5140 “STUDENTS: ENROLLMENT AND ATTENDANCE.”

8. The child is [a child of] DOMICILED WITH THE PARENT(S)/ GUARDIAN(S) IN an adjoining Maryland school system [who] THAT is [domiciled with his/her parent(s)/guardian(s)] in an unusually isolated geographic location adjoining Baltimore County, upon request of the Superintendent of the Schools of that system and approval of the Superintendent of the Baltimore County Public Schools. The case [should] WILL be referred to the pupil personnel worker for processing. Tuition shall be paid by the sending school system. (See §4–121 of the Education Article.)

9. **THERE ARE TWO INSTANCES OF SERIOUS FAMILY HARDSHIP WHICH ARE IDENTIFIED AS INFORMAL KINSHIP CARE OR NONRESIDENT SERIOUS FAMILY HARDSHIP.**
 - a. **INFORMAL KINSHIP CARE: IF THE APPLICANT IS AN ADULT RELATED TO THE CHILD BY BLOOD OR MARRIAGE WITHIN THE FIFTH DEGREE OF CONSANGUINITY, AND, ON BEHALF OF THE CHILD AND/OR PARENT(S)/GUARDIAN(S), CAN ESTABLISH THROUGH DOCUMENTATION IN ACCORDANCE WITH §7-101 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND THAT THE CHILD IS RESIDING WITH THE APPLICANT AS A RESULT OF SERIOUS FAMILY HARDSHIP, AND IF THE PARENT(S)/GUARDIAN(S) IS DOMICILED OUTSIDE OF BALTIMORE COUNTY BUT **WITHIN** THE STATE OF MARYLAND, THEN THE PUPIL PERSONNEL WORKER SHALL **PERMIT** THE CHILD TO BE ENROLLED UPON RECEIPT OF A COMPLETE AFFIDAVIT OF INFORMAL KINSHIP CARE AND REQUIRED SUPPORTING DOCUMENTATION OF SERIOUS FAMILY HARDSHIP(S). TUITION SHALL BE ASSESSED IN ACCORDANCE WITH § 7-101 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.**
 1. One or more of the following [may] SHALL be considered [in accepting nonresident students with a] AS serious family hardships FOR PURPOSE OF ENROLLMENT UNDER **THE INFORMAL KINSHIP CARE** PROVISION:

- a. DEATH OF FATHER/ MOTHER/LEGAL GUARDIAN
- b. SERIOUS ILLNESS OF FATHER/ MOTHER/LEGAL GUARDIAN
- c. DRUG ADDICTION OF FATHER/ MOTHER/LEGAL GUARDIAN
- d. INCARCERATION OF FATHER/ MOTHER/LEGAL GUARDIAN
- e. ABANDONMENT BY FATHER/ MOTHER/LEGAL GUARDIAN
- f. ASSIGNMENT OF FATHER/ MOTHER/LEGAL GUARDIAN TO ACTIVE MILITARY DUTY

(2) The following are not to be considered serious family hardships:

- (a) Presence in Baltimore County primarily for improved quality of education;
- (b) Presence in Baltimore County primarily because of adverse conditions in or dissatisfaction with the child's prior school system;
- (c) Parent(s) or guardian(s) placing the child with the caretaker for child care purposes.

b. **NONRESIDENT SERIOUS FAMILY HARDSHIP:** If the applicant, on behalf of the child AND/or parent(s)/guardian(s), can establish THROUGH DOCUMENTATION that the child is residing with the applicant as a result of serious family hardship BUT DOES NOT QUALIFY FOR ENROLLMENT UNDER THE PROVISION OF INFORMAL KINSHIP CARE ARRANGEMENT AND IF THE PARENT(S)/GUARDIAN(S) IS DOMICILED OUTSIDE OF BALTIMORE COUNTY, then the Superintendent and/or

residency liaison may allow the child to be enrolled. Tuition shall be paid by the child's parent(s)/guardian(s). (See [II]IV[C.]D.Tuition.)

- (1) One or more of the following [may] SHALL be considered [in accepting nonresident students with a] AS serious family hardships FOR PURPOSE OF ENROLLMENT UNDER THIS PROVISION:
 - (a) DEATH OF FATHER /MOTHER/ LEGAL GUARDIAN
 - (b) SERIOUS ILLNESS OF FATHER/ MOTHER/LEGAL GUARDIAN
 - (c) DRUG ADDICTION OF FATHER/ MOTHER/LEGAL GUARDIAN
 - (d) INCARCERATION OF FATHER/ MOTHER/LEGAL GUARDIAN
 - (e) ABANDONMENT BY FATHER/ MOTHER/LEGAL GUARDIAN
 - (f) ASSIGNMENT OF FATHER/ MOTHER/LEGAL GUARDIAN TO ACTIVE MILITARY DUTY
 - (g) CHILD ABUSE OR NEGLECT
 - (h) PHYSICAL OR MENTAL CONDITION OF FATHER/MOTHER/LEGAL GUARDIAN SUCH THAT HE/SHE/THEY CANNOT PROVIDE ADEQUATELY FOR THE CHILD'S CARE AND SUPERVISION
 - (i) FINANCIAL CIRCUMSTANCES OF FATHER/MOTHER/LEGAL GUARDIAN MAKING IT A HARDSHIP FOR HIM/ HER/THEM TO PROVIDE FOR THE CHILD'S CARE AND SUPERVISION

- (a) [Death, serious illness, drug addition, or incarceration of the child's parent(s) or guardian(s)]
 - (b) Abandonment of the child;
 - (c) Child abuse or neglect;
 - (d) Physical or mental condition of the child's parent(s) or guardian(s) such that they cannot provide adequately for the child's care and supervision of the child;
 - (e) Financial circumstances of the child's parent(s) or guardian(s) making it a hardship for them to provide for the child's care and supervision.]
- (2). The following are not to be considered serious family hardships:
- (a) Presence in Baltimore County primarily for improved quality of education;
 - (b) Presence in Baltimore County primarily because of adverse conditions in or dissatisfaction with the child's prior school system;
 - (c) Parent(s) or guardian(s) placing the child with the caretaker for child care purposes.

C. **PROCESS TO ENROLL AS A CHILD IN INFORMAL KINSHIP CARE OR AS A NONRESIDENT STUDENT FOR SERIOUS FAMILY HARDSHIP:** A CHILD MAY BE ENROLLED AS A NONRESIDENT STUDENT FOR THE CURRENT SCHOOL YEAR ONLY, UPON EXPRESS WRITTEN AUTHORIZATION OF THE SUPERINTENDENT AND/OR PUPIL PERSONNEL WORKER. ANY REQUEST FOR ENROLLMENT IN BALTIMORE COUNTY PUBLIC SCHOOLS FOR A CHILD WHO IS NOT DOMICILED WITH THE CHILD'S PARENT(S)/GUARDIAN(S) IN BALTIMORE COUNTY MUST BE REFERRED TO THE PUPIL PERSONNEL WORKER FOR INVESTIGATION AND PROCESSING.

A CHILD WILL NOT BE ENROLLED AS A NONRESIDENT STUDENT UNLESS AND UNTIL APPROVED BY THE PUPIL PERSONNEL WORKER THE AFFIDAVIT TO ENROLL A CHILD IN INFORMAL KINSHIP CARE OR APPLICATION TO ENROLL NONRESIDENT STUDENT **FOR SERIOUS FAMILY HARDSHIP** MUST BE COMPLETED AND SUBMITTED BY THE APPLICANT TO THE PUPIL PERSONNEL WORKER, ON BEHALF OF THE CHILD.

1. THE APPLICANT, ON BEHALF OF THE CHILD, MUST COMPLETE VERIFICATION OF BALTIMORE COUNTY DOMICILE AS OUTLINED IN SECTION II. IN CASES OF AGENCY PLACEMENT, THE FOSTER PARENT OR AUTHORIZED AGENCY REPRESENTATIVE OF A RESIDENTIAL FACILITY MUST COMPLETE VERIFICATION OF DOMICILE AS OUTLINED IN SECTION II **OF THIS RULE**.
2. FOR **APPLICATIONS BASED ON** NONRESIDENT SERIOUS FAMILY HARDSHIP, AFTER COLLECTING ALL DOCUMENTATION OF FAMILY HARDSHIP, THE PUPIL PERSONNEL WORKER WILL REFER THE CASE TO THE RESIDENCY LIAISON FOR REVIEW AND A DECISION. **IF THE APPLICATION IS DENIED** THE PARENT(S)/GUARDIAN(S) OR APPLICANT SHOULD BE ADVISED OF THE NECESSITY TO ENROLL THE CHILD IN THE SCHOOL SYSTEM SERVING THE AREA OF THE DOMICILE OF THE CHILD AND PARENT(S)/GUARDIAN(S).
3. **FOR APPLICATIONS BASED ON** INFORMAL KINSHIP CARE, AFTER RECEIVING **AN** AFFIDAVIT VERIFYING AN INFORMAL CARE RELATIONSHIP AND REQUIRED DOCUMENTATION IN ACCORDANCE WITH §7-101 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THE PUPIL PERSONNEL WORKER WILL APPROVE ENROLLMENT OF THE CHILD AND WILL FORWARD THE AFFIDAVIT AND SUPPORTING DOCUMENTATION TO THE RESIDENCY LIAISON FOR FURTHER PROCESSING.
4. ENROLLMENT AS A NONRESIDENT STUDENT OR A CHILD IN INFORMAL KINSHIP CARE IS APPROVED FOR THE CURRENT SCHOOL YEAR ONLY. A NEW AFFIDAVIT **OR NEW** NONRESIDENCY APPLICATION WITH UPDATED SUPPORTING DOCUMENTATION MUST BE SUBMITTED TO

THE PUPIL PERSONNEL WORKER FOR CONSIDERATION OF ENROLLMENT IN THE SUBSEQUENT YEAR AT LEAST TWO WEEKS PRIOR TO THE BEGINNING OF THE SCHOOL YEAR FOR EACH YEAR.

[C.]D. Tuition

In accordance with **BOARD OF EDUCATION** Policy 3610 and **SUPERINTENDENT’S** Rule 3611, **“NON-INSTRUCTIONAL SERVICES; FEES, GIFTS AND PROPERTY DISPOSITION”** tuition for nonresident students shall be established annually by the Board of Education. Requests for waiver of tuition shall be granted if the child’s parent(s)/guardian(s) provides documentation that the child meets the criteria for a free lunch, reduced priced lunch, or medical assistance. A NONRESIDENT STUDENT WHOSE TUITION PAYMENTS ARE IN ARREARS WILL BE WITHDRAWN AT THE END OF THE SEMESTER. A NONRESIDENT STUDENT HAVING AN UNPAID TUITION BALANCE WILL NOT BE APPROVED FOR RE-ENROLLMENT AS A NONRESIDENT STUDENT IN SUBSEQUENT YEARS. **UNPAID TUITION BALANCES WILL BAR A STUDENT FROM ENROLLMENT.**

AN OUT-OF-STATE AGENCY THAT ARRANGES FOR A CHILD’S PLACEMENT FOR ADOPTION IN MARYLAND IS NOT RESPONSIBLE FOR PAYING THE EDUCATIONAL COSTS ASSOCIATED WITH THE CHILD.

[D. Review Process

The residency liaison shall review all applications for enrollment based on serious family hardship for determination of enrollment as a nonresident student. The parent(s)/guardian(s), applicant, and child should be advised of the necessity to enroll in the school system serving the area of their domicile.]

V. FRAUDULENT ENROLLMENT

IF IT IS DETERMINED THAT A STUDENT FRAUDULENTLY ENROLLS IN BALTIMORE COUNTY PUBLIC SCHOOLS, THE STUDENT WILL BE WITHDRAWN FROM THE SCHOOL WITHIN TEN (10) CALENDAR DAYS UPON WRITTEN NOTICE FROM THE PRINCIPAL. THE NOTICE PERIOD MAY BE EXTENDED FOR AN ADDITIONAL TEN (10) CALENDAR DAYS AT THE DISCRETION OF THE PRINCIPAL. THE

PARENT(S)/GUARDIAN(S) SHALL BE FINANCIALLY LIABLE FOR TUITION FOR THE ENTIRE TIME OF FRAUDULENT ENROLLMENT OR ATTENDANCE. (SEE IV.D. TUITION.) IN THE CASE OF A CHILD IN INFORMAL KINSHIP CARE, ANY PERSON WHO WILLFULLY MAKES A MATERIAL MISREPRESENTATION IN THE AFFIDAVIT SHALL BE SUBJECT TO A PENALTY PAYABLE TO THE BALTIMORE COUNTY PUBLIC SCHOOLS FOR THREE TIMES THE PRO RATED SHARE OF TUITION FOR THE TIME THE CHILD FRAUDULENTLY ATTENDS ANY BALTIMORE COUNTY PUBLIC SCHOOL.

[III.]VI. Appeal Process

If the child, parent(s)/guardian(s), APPLICANT, OR RELATIVE [continues to contend the child must attend Baltimore County Public Schools, then the case may be appealed in writing to the Coordinator of Pupil Personnel Services within ten (10) calendar days of the date of the residency liaison's decision letter. If the request is denied and the child must attend Baltimore County Public Schools, then the case may be appealed in writing to the Superintendent within fifteen (15) calendar days of the date of the Coordinator of Pupil Personnel Services' decision letter.] DISPUTES WHETHER THE CHILD MEETS BALTIMORE COUNTY PUBLIC SCHOOLS' ENROLLMENT REQUIREMENTS, THE PARENT(S)/GUARDIAN(S) MAY APPEAL THE DECISION NOT TO ENROLL OR THE DECISION TO WITHDRAW.

- A. TO INITIATE AN APPEAL, THE PARENT(S)/ GUARDIAN(S), APPLICANT, OR RELATIVE MUST FILE A WRITTEN NOTICE OF APPEAL TO THE COORDINATOR OF PUPIL PERSONNEL SERVICES WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF THE WITHDRAWAL NOTICE OR WITHIN TEN (10) CALENDAR DAYS OF THE NOTICE OF DENIAL OF A REQUEST FOR ENROLLMENT.
- B. IF THE APPEAL IS DENIED, THE MATTER MAY BE FURTHER APPEALED BY FILING A WRITTEN NOTICE OF APPEAL TO THE SUPERINTENDENT WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF THE DECISION OF THE COORDINATOR OF PUPIL PERSONNEL SERVICES.
- C. IF THE SUPERINTENDENT OR SUPERINTENDENT'S DESIGNEE DENIES THE APPEAL, A FURTHER APPEAL MAY BE TAKEN TO THE BOARD OF EDUCATION ("BOARD") IN ACCORDANCE WITH POLICY 8339, "APPEAL BEFORE A HEARING EXAMINER," BY FILING A WRITTEN NOTICE OF APPEAL WITH THE BOARD

WITHIN THIRTY (30) CALENDAR DAYS OF THE DATE OF THE DECISION OF THE SUPERINTENDENT/SUPERINTENDENT'S DESIGNEE.

- D. IF THE STUDENT IS ENROLLED IN AND CURRENTLY IS ATTENDING A PUBLIC SCHOOL IN BALTIMORE COUNTY AT THE TIME THAT THE PARENT(S)/GUARDIAN(S) FILES THE INITIAL APPEAL, THE STUDENT MAY REMAIN IN THAT SCHOOL UNTIL THE EARLIER OF: (A) A DECISION BY THE BOARD OF EDUCATION OF BALTIMORE COUNTY OR THE EXHAUSTION OF ALL APPEALS.

[IV.]VII. Accounting Procedure

Each school with one or more nonresident tuition paying students shall file, on forms provided by Baltimore County Public Schools, a CASH RECEIPT report **AND FUNDS COLLECTED** at the end of each month WHICH WILL BE SUBMITTED TO THE OFFICE OF ACCOUNTING indicating the COLLECTION OF tuition [status of] FOR each student. THIRTY (30) CALENDAR DAYS PRIOR TO THE END OF THE SEMESTER, THE PRINCIPAL WILL PROVIDE WRITTEN NOTICE TO A PARENT(S)/GUARDIAN(S) WHOSE TUITION PAYMENT IS IN ARREARS. IF TUITION IS NOT PAID WITHIN TEN (10) CALENDAR DAYS OF THE WRITTEN NOTICE, THE PRINCIPAL WILL IMMEDIATELY NOTIFY PARENT(S)/GUARDIAN(S) IN WRITING OF THE STUDENT'S WITHDRAWAL AT THE END OF THE SEMESTER.

[*** "Child" refers to an individual not currently enrolled in Baltimore County Public Schools.

*** "Student" refers to an individual currently enrolled in Baltimore County Public Schools.]

Legal References:

42 U.S.C. §11431, ET SEQ. (MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE IMPROVEMENT ACT)

§7–101 of the Education Article of the Annotated Code of Maryland
§4–12[1] 2 of the Education Article of the Annotated Code of Maryland

§5-201 OF THE EDUCATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND

RELATED POLICIES:

POLICY AND RULE 5140, “STUDENTS: ENROLLMENT AND ATTENDANCE”

POLICY 8339, “APPEAL BEFORE HEARING EXAMINER”

Policy 8340, “Appeal Before the Board of Education”

POLICY AND RULE 6130, “INSTRUCTION: MAGNET SCHOOLS AND PROGRAMS”

[Also see]Policy and Rule 3610, “Tuition Fees: NON-RESIDENTS.” [,] Series 3000, Non-Instructional Services.]

| Rule | Superintendent of Schools |
|-------------------|---------------------------|
| Approved: 2/26/87 | |
| Revised: 11/23/93 | |
| Revised: 12/6/94 | |
| Revised: 3/24/98 | |
| Revised: 5/2/00 | |
| REVISED: | |

Southeast Area Advisory Council Minutes

Date: 20 January, 2004

Location: Deep Creek Middle School.

1. The meeting was called to order at 7:30 p.m. by President Boyd Crouse.
2. Those in attendance were: Mr. Luis Borunda, Mr. Stephen Crum, Ms. Shawtair Thompson, Ms. Bonnie Saul, Mr. Bill Bafitis, Ms. Corina Cotsaris, Ms. Sandra Skordalos, Mr. Boyd Crouse, Mr. Bob Kemmery, and Mr. Bob Berkshire.
3. Mr. Mathew Joseph, Liaison Officer from the County Executive's office, was the guest speaker. Mr. Joseph spoke of the county Executive's work relative to the Southeast area. Some of the highlights he presented included:
 - a. Mr. Smith has spent a great deal of time on the east side of Baltimore County due to the heavy amount of damage that Hurricane Isabelle inflicted.
 - b. Mr. Smith is deeply committed to the revitalization of the east side of the county. This revitalization is heavily dependent upon the maintenance of a strong school system. Mr. Joseph noted that many of the Southeast Area Schools have special needs due to the large number of "at risk" students in this area. Some of the initiatives that he has supported include doubling up of the school resource officers, sending experienced retired teachers into challenging schools, providing alternative schools to remove disruptive students from the classroom and the establishment of smaller learning communities within some of our larger schools.
 - c. County Executive Smith delights in showcasing the good works of local schools such as Mars Estates and Deep Creek Middle School for rewarding students for good behavior as a result of the PBIS program. He has also displayed artwork from Patapsco High School in his Executive Office.
4. Mr. Joseph then took questions from the audience.
 - a. Question: Recently, money was given to many schools for renovations, however none was given to any schools in the Southeast Area, why?
Answer: Schools are renovated with the oldest schools being done first. This takes politics out of the process.
 - b. Question: Why isn't there a better communication process between developers and the county so that the school system can be proactive in their enrollment projections? Answer: Presently monthly meetings are

held to discuss development projections and thus we are able to make more accurate enrollment projections.

- c. Question: What is being done to get certified and experienced teachers into challenging schools? Answer: An increase in salary is being proposed for all teachers. An effort to hire experienced teachers is also being implemented. The “Great Beginnings” program brings together new teachers (December graduates) with experienced teachers in order to provide a mentoring period and hopefully decrease the number of first year teachers who quit the teaching profession after one year or less.
5. The business meeting began at 8:20 p.m.
- a. Starlab, an inflatable structure that is used to teach students about space exploration, will be at Featherbed Lane Elementary School along with two Astronauts, both who are graduates of Baltimore County Schools. This lab will come to all schools in the county.
 - b. The student handbook is now available in Spanish. Inserts are available for several other languages also.
 - c. A new program is being developed to help “at risk” schools. This program is called “Smaller Learning Communities”. It attempts to group students into smaller learning units (for example, all 9th graders) in order to improve not only their academic skills but also their sense of belonging. It is hoped that these learning communities will link academics with individual student goals. By doing this, attendance tends to rise and drop-out rates tend to go down.
 - d. The next meeting will be February 17th at Oliver Beach Elementary.
 - e. Meeting adjourned at approximately 9:30 p.m.