

TENTATIVE, SUBJECT TO CHANGE

MEETING OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

OPEN SESSION

Tuesday, October 2, 2007
5:15 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 October 2, 2007
- IV. MINUTES
Consideration of the Open and Closed Minutes of September 5, 2007; and the Report of the Board of Education Work Session of September 19, 2007 Exhibit A
- V. SELECTION OF SPEAKERS
- VI. ADVISORY AND STAKEHOLDER GROUPS
- VII. SUPERINTENDENT'S REPORT
- VIII. RECOGNITION OF ADMINISTRATIVE APPOINTMENTS FROM SEPTEMBER 18, 2007 (Dr. Peccia)
- IX. OLD BUSINESS
 - A. Consideration of the FY09 Proposed Capital State Budget (Ms. Burnopp)
Exhibit B
 - B. Consideration of the following Board of Education Policies:
 - Proposed Changes to Policy 2361 – ADMINISTRATION: Administrative Operations - Student Carriers (information item) (Ms. Dixon)
Exhibit C
 - Proposed Changes to Policy 3210 – NON-INSTRUCTIONAL SERVICES: Purchasing Services-Purchasing Guides (third reading) (Ms. Burnopp)
Exhibit D
 - Proposed Changes to Policy 5560 – STUDENTS: Conduct-Suspension, Assignment to Alternative Programs, or Expulsion (third reading) (Mr. Rauenzahn)
Exhibit E
 - Proposed Changes to Policy 8130 – INTERNAL BOARD POLICIES – Formulation (third reading) (Ms. Harris)
Exhibit F

X. REPORTS

A. Report on the following Board of Education Policies:

- Proposed Deletion of Policy 7440 – NEW CONSTRUCTION: Constructing-Protection and Guarantees (first reading) (Mr. Sines)
Exhibit G
- Proposed Changes to Policy 8314 – INTERNAL BOARD POLICIES: Operations-Meetings: Agenda (first reading) (Ms. Harris)
Exhibit H

B. Curriculum Management Plan Update (Dr. Diaz)
Exhibit I

XI. NEW BUSINESS

A. Consideration of consent to the following personnel matters:

(Dr. Peccia)

1. Transfers Exhibit J
2. Retirements Exhibit K
3. Resignations Exhibit L
4. Leaves of Absence Exhibit M

B. Consideration of consent to the following contract awards:

(Mr. Gay/Mr. Sines)
Exhibit N

1. Contract Modification: Ethernet Switches/LAN Equipment
2. Computer and Peripherals Memory Modules
3. Digital Video School Bus Surveillance System and Associated Equipment
4. Inspiration Software License
5. Maryland Education Enterprise Consortium (MEEC)
6. Contract Modification: Construction Contract – Cockeysville Training/Dispatch Building
7. Contract Modification: Systemic Renovation – General John Stricker Middle School
8. Contract Modification: Gymnasium Floor Replacement – Woodlawn
9. Roof Replacement – Educational Support Services (ESS) Building

XII. INFORMATION

A. Revised Superintendent's Rule 3210 – NON-INSTRUCTIONAL SERVICES: Purchasing Services-Purchasing Guides

Exhibit O

B. Revised Superintendent's Rule 6130 – INSTRUCTION: Magnet Schools and Programs-Magnet Schools Admission

Exhibit P

XIII. ANNOUNCEMENTS

- A. Public Comment on Proposed Changes to Policy 2361 (second reading)
- B. General Public Comment

Next Board Meeting Tuesday, October 23 2007
7:30 PM Greenwood

TENTATIVE MINUTES**BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND**

Wednesday, September 5, 2007

The Board of Education of Baltimore County, Maryland, met in open session at 5:59 p.m. at Greenwood. President JoAnn C. Murphy and the following board members were present: Ms. Donna Flynn, Ms. Frances A. S. Harris, Mr. John A. Hayden, III, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., Ms. Joy Shillman, and Miss Audrey Dittman. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Ms. Murphy reminded board members of community functions and Board of Education events scheduled in September and October.

Ms. Murphy reviewed the "draft" Board of Education focus areas for 2007-2008. She stated that this document will be placed on the September 18 board agenda.

Ms. Shillman proposed that consideration of a common dress code be placed on a future agenda for discussion. Dr. Hairston stated that some research needs to occur before proceeding. Dr. Hairston requested general counsel review any constitutional issues and current board policy and that such information be presented to the Board Policy Review Committee.

Pursuant to the Annotated Code of Maryland, State Government Article, §10-508(a)(1) and (a)(8) and upon motion of Mr. Parker, seconded by Mr. Pallozzi, the board commenced its closed session at 6:22 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 6:22 p.m. at Greenwood. President JoAnn C. Murphy and the following board members were present: Ms. Donna Flynn, Ms. Frances A. S. Harris, Mr. John A. Hayden, III, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., Ms. Joy Shillman, and Miss Audrey Dittman. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: J. Robert Haines, Esq., Deputy Superintendent; Dr. Sonia Diaz, Chief Academic Officer, Ms. Rita Fromm, Chief of Staff; Mr. William Lawrence, Assistant Superintendent, Northwest Area; Dr. Robert Tomback, Assistant Superintendent, Northeast Area; Dr. Manuel Rodriguez, Assistant Superintendent, Southwest Area; Ms. Jean Satterfield, Assistant Superintendent, Southeast Area; Mr. Lyle Patzkowsky, Assistant Superintendent, Central Area; Margaret-Ann Howie, Esq., General Counsel; Dr. Donald Peccia, Assistant Superintendent, Human Resources and Governmental Relations; Dr. Alpheus Arrington, Director, Personnel Staffing; P. Tyson Bennett, Esq., Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Dr. Peccia reviewed with Board members personnel matters to be considered on the evening's agenda.

CLOSED SESSION MINUTES (cont)

Mr. Michael Sines, Executive Director of Physical Facilities, entered the room at 6:29 p.m.

Dr. Peccia, Dr. Arrington, and Mr. Sines exited the room at 6:33 p.m.

Mr. Bennett provided an update to board members on pending federal litigation regarding the McKinney-Vento Homeless Education Assistance Improvements Act of 2001.

Ms. Howie advised board members on litigation involving a former student.

At 7:13 p.m., Mr. Janssen moved the board adjourn for a brief dinner recess. The motion was seconded by Mr. Pallozzi and approved by the board.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:42 p.m. at Greenwood. President JoAnn C. Murphy and the following board members were present: Ms. Donna Flynn, Ms. Frances A. S. Harris, Mr. John A. Hayden, III, Mr. Earnest E. Hines, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Ms. Mary-Margaret O'Hare, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., Ms. Joy Shillman, and Miss Audrey Dittman. 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 Councilman Joseph Bartenfelder, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

MINUTES

Hearing no additions or corrections to the Report on the Board of Education Retreat of August 4, 2007, and the Board of Education Open and Closed Minutes of August 14, 2007, Ms. Murphy declared the minutes approved as presented on the web site.

Dr. Hairston noted one adjustment to the agenda for this evening's meeting – addition of item C, under XII, New Business, Consideration of Appeal in Case #07-17. Ms. Murphy noted the correction to tonight's agenda.

Ms. Murphy informed the audience of the sessions in which board members had participated earlier in the afternoon.

SELECTION OF SPEAKERS

After collecting completed sign-up cards, Ms. Murphy announced the names of persons who would be speaking during the public comment portion of the meeting as well as the order in which the persons would be called.

ADVISORY AND STAKEHOLDER COMMENTS

Mr. Boyd Crouse, Coordinator of the Area Education Advisory Councils, reported that the councils have started on their calendars of events and preparing for the pre-budget meetings. Mr. Crouse announced its joint area education advisory council meeting will be held on Thursday, October 24, 2007, at 7:00 p.m. in the ESS Building, room 114.

Ms. Roxanne Umphery-Lucas, a representative of the Minority Achievement Advisory Group (MAAG), reported on its August 18 annual retreat. MAAG reflected on its accomplishments and areas of improvement. She announced that the next meeting will be held on September 27, 2007, at 7:00 p.m. Dr. Ella White-Campbell, Chairperson, stated that MAAG is supportive of the Articulated Instruction Module (AIM).

Ms. Susan Katz, President of the PTA Council of Baltimore County, stated that the council joins parents and communities in supporting student achievement.

Ms. Jan Thomas, Chair of the Special Education Citizens Advisory Committee, noted that 85% of students receiving special education services have the ability to perform equally with their peers. She stated that there is currently no policy to guide schools, staff, or the communities.

Ms. Cheryl Bost, President of the Teachers Association of Baltimore County, announced the community conversation on education meeting to be held on September 19, 2007, at Ridge Ruxton School beginning at 6:00 p.m. Ms. Bost noted that in 2005-06, the decision was made to zero-base Woodlawn Middle School. While Woodlawn Middle School met Adequate Yearly Progress (AYP) in 2005-2006, it did not make AYP in 2006-2007. She stated that the school system needs to evaluate what worked and where improvements are needed. Ms. Bost asked that the board take the time to evaluate the program before moving forward.

SUPERINTENDENT'S REPORT

Dr. Hairston acknowledged the presence of Delegate William Frank and Councilman Joseph Bartenfelder.

Councilman Bartenfelder presented a resolution to Ms. Kathy East, principal of Victory Villa Elementary School, for 36 years of service including holding the position of principal for the last 23 years.

The Board approved a resolution honoring Ms. Kathy East.

SUPERINTENDENT'S REPORT (cont)

WHEREAS, Ms. Kathy East has served the cause of public education in Baltimore County with honor and distinction for the past 36 years, and

WHEREAS, She has demonstrated vision and leadership through her focus on increased student performance and has given unsparingly of her expertise, and

WHEREAS, Ms. East has demonstrated her commitment to children as a classroom teacher for ten years, and

WHEREAS, She has increased student achievement in every school in which she has served as principal, and

WHEREAS, Ms. East has demonstrated outstanding human relation skills and has created a strong sense of community among all constituent groups: PTA leaders, local and state government officials, businesses, and educators, and

WHEREAS, She has exercised leadership among her peers and has mentored colleagues new to roles in school leadership, and

WHEREAS, Her personal integrity and boundless energy in pursuit of education excellence has served as an outstanding role model for the students, teachers, and staff of the Baltimore County Public Schools, and

WHEREAS, Ms. East has worked tirelessly for children and during her tenure she has held the title of elementary principal for 23 years, now, therefore, be it

RESOLVED, That the Board of Education, herewith assembled in regular session on the fifth day of September, in the year two thousand and seven, expresses to Kathy East, on behalf of the citizens of this county, our deepest appreciation and gratitude for her service, and be it further

RESOLVED, That the Board of Education herewith extends its best wishes for her good health, happiness, and continued success.

Dr. Hairston introduced Dr. Wesley Boykin, Executive Director of Research, Accountability, and Assessment, and Ms. Linda Marchineck, Research Specialist, who briefly shared the 2007 High School Assessment (HSA) data.

- Changes in reporting HSA results
 - **AYP** data measured the percentage of the first-time test takers scoring proficient on the Algebra/Data Analysis and English II HSA.
 - **Performance** data measures the performance of every student taking the test (summer, January, and May). This year's pass/fail rates will include results from all testing attempts, rather than reflecting only the pass/fail record of individual students, thus appearing to inflate the number of test takers and distorting results.

- **Cohort** Data provides BCPS with the number and percent of students passing the HSA by the “end of grade” or another way to say this is “by the graduating class.”

SUPERINTENDENT’S REPORT (cont)

According to Dr. Boykin, Maryland State Department of Education (MSDE) is required by law to release HSA data results to the public and the media. However, MSDE cannot currently provide to school systems HSA data needed to determine the number and percentage of students on-track to meet the testing requirements and to graduate on time in 2009.

Ms. Marchineck reviewed the cohort data for the class of 2009 in algebra, biology, government, and English II.

Ms. O’Hare stated that it would be “interesting” to see the cohort data based on socio-economic status.

Mr. Hayden expressed concern that one-third of the school system’s high schools are having trouble meeting the graduation requirements.

Ms. Flynn stated she was glad to see that the 55% threshold established and the commitment to resources. She looks forward to seeing how the school system reallocates resources to help the remaining 45%.

Mr. Pallozzi asked how many 11th graders have not yet taken the HSA tests. Dr. Hairston responded that staff is working on the data, which will be available for the board at a later date.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources and Governmental Relations, recognized the administrative appointments made at the August 14, 2007 board meeting:

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>YVETTA G. BATES</u> (Effective August 15, 2007)	Teacher/Special Education Milford Mill Academy	Assistant Principal Riverview Elementary School
<u>TEPHANY L. BLACKBURN</u> (Effective August 15, 2007)	Teacher/Mathematics Dundalk High School	Assistant Principal Chesapeake High School
<u>WESLEY L. BOYKIN</u> (Effective August 15, 2007)	Accountability and Assessment Officer Prince George’s County Public Schools	Executive Director of Research, Accountability and Assessment
<u>ELIZABETH M. CONN</u> (Effective August 15, 2007)	Teacher/Home Economics Perry Hall High School	Assistant Principal Dulaney High School
<u>LESLIE J. DUNN</u> (Effective August 15, 2007)	Assistant Principal Reisterstown Elementary School	Principal Timber Grove Elementary School

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS (cont)

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>JAMES G. EICHELBURG</u> (Effective August 15, 2007)	Transition Facilitator New Town High School	Pupil Personnel Worker
<u>ERIKA A. HAMLET</u> (Effective August 15, 2007)	Teacher/Guidance Dumbarton Middle School	Pupil Personnel Worker
<u>ANNE M. MEHALL</u> (Effective August 15, 2007)	Teacher/Resource Office of Language Arts, PreK-12	Supervisor, Reading Department of Humanities
<u>SHARON S. OCHS</u> (Effective August 15, 2007)	Pupil Personnel Worker Pupil Personnel Services	Coordinator, Pupil Personnel Services
<u>CECILIA J. ROE</u> (Effective August 15, 2007)	Teacher/English Sudbrook Magnet Middle School	Supervisor, Secondary Language Arts and English
<u>CINDY R. SCOTT</u> (Effective August 15, 2007)	Teacher/Mentor Woodlawn Middle School	Bedford Elementary School Assistant Principal
<u>SUSAN C. TRUESDELL</u> (Effective August 15, 2007)	Teacher/ESOL Reisterstown Elementary School	Assistant Principal Reisterstown Elementary School
<u>MARCIA L. WILSON</u> (Effective August 15, 2007)	IEP Team Process Manager Baltimore City Public Schools	Pupil Personnel Worker

RECOGNITION OF ADVISORY COUNCIL APPOINTMENTS

Dr. Donald Peccia recognized Mr. Bud Staigerwald, Jr., as a new member to the Southeast Area Education Advisory Council. Mr. Staigerwald's appointment was approved at the August 14, 2007 board meeting.

SPECIAL ORDER OF BUSINESS

Ms. Murphy presented to Ms. Flynn, Mr. Hines, and Miss Dittman their Commissions from Governor Martin O'Malley.

OLD BUSINESS

The Board Policy Committee, represented by Ms. Harris, recommended approval of Board of Education policies, exhibits B through P. This is the third reading for all policies.

OLD BUSINESS (cont)

With respect to Policy 3210, Mr. Hayden noted that stating “**all** construction renovation projects...” is not consistent with the education article. He suggested that this policy be pulled for further legal review.

Regarding Policy 5560, Mr. Hayden expressed concern with the deletion of “or designee.” He suggested adding “or his/her designee.” Ms. Shillman expressed concern that the policy does not clarify the timeline for hearing appeals. Mr. Hayden concurred stating that the student would have served his/her sentence before the date scheduled for the board appeal. Ms. Shillman suggested pulling this policy for further discussion with the Board’s Policy Review Committee.

On motion of Mr. Pallozzi, seconded by Mr. Parker, the board approved the following:

- Proposed Deletion of Policy 1310 – COMMUNITY RELATIONS: Use of School Facilities - Fund Raising (exhibit B).
- Proposed Changes to Policy 3125 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-School Activity Funds (exhibit C).
- Proposed New Policy 3231 – NON-INSTRUCTIONAL SERVICES: Purchasing-Vendor Performance Evaluation (exhibit E).
- Proposed Deletion of Policy 4216.1 – PERSONNEL: Classified-Grievance Procedure, Clerical (exhibit F).
- Proposed Deletion of Policy 4216.2 – PERSONNEL: Classified-Grievance Procedure, Maintenance and Operation (exhibit G).
- Proposed Deletion of Policy 4216.4 – PERSONNEL: Classified-Grievance Procedure, Teacher-Aides (exhibit H).
- Proposed Changes to Policy 5460 – STUDENTS: Services to Students - Lockers (exhibit I).
- Proposed Changes to Policy 5510 – STUDENTS: Conduct - School Discipline (exhibit J).
- Proposed Changes to Policy 5540 – STUDENTS: Conduct – Alcoholic Beverages and Drugs (exhibit K).
- Proposed Changes to Policy 5550 – STUDENTS: Conduct – Disruptive Behavior (exhibit L).
- Proposed Changes to Policy 6140 – INSTRUCTION: Curriculum (exhibit N).
- Proposed Changes to Policy 7310 – NEW CONSTRUCTION: Financing – Determination of School Construction Costs (exhibit O).
- Proposed Deletion of Policy 7510 – NEW CONSTRUCTION: Occupying – Inspection and Acceptance of Completed Project (exhibit P).

OLD BUSINESS (cont)

Board of Education Policy 3210 and 5560 were pulled for further discussion with the Board's Policy Review Committee.

REPORTS

The Board received the following reports:

- A. **Report on Opening of Schools** – Ms. Rita Fromm, Chief of Staff, shared highlights from the opening of schools, including:

Enrollment – Total enrollment on August 27, 2007, was 102, 282 students, or 97.1 % of our projected enrollment of 105, 330 – a difference of 3,048 students. On any area-by-area basis, actual enrollment on opening day varied from 95.1% of projection to 98.3% of projection.

Schools and Centers – The new Crossroads Center opened with 408 students enrolled and all staff positions filled. Maryland's Tomorrow/AdvancePath Academy at Chesapeake High School also opened for the first time with 81 students enrolled and 21 more scheduled for intake. All staff positions are filled.

Staffing – During the summer months, the Department of Human Resources hired 856 teachers, and on opening day, had filled all but 6.6 teaching positions. No vacancies exist in the core subject areas of math and science. The JROTC programs at Milford Mill and Dundalk both have at least one military staff person and programs continue. Vacancies in support service positions, including bus drivers, food service workers, paraeducators, maintenance and operations staff, clerical staff, and supervisory and technical positions, totaled 183 on opening day.

Instructional Readiness: Division of Curriculum and Instruction –The AVID program is in place in 24 high schools and one middle school. High schools new to the program this year include Carver, Eastern, Dundalk, Towson, and Western. Title I services are in place in 37 elementary and 9 middle schools. The Department of Human Resources hired 203 teachers for these schools. Only three of these newly hired teachers are presently conditionally certified and each of these is expected to attain highly qualified status when out-of-state teaching certificates or Praxis scores are received. The 25 paraeducators newly hired for Title I schools are each highly qualified. The implementation of full-day kindergarten has been expanded to nine more schools and is now in place in all of BCPS' elementary schools.

Facilities – Building readiness in each area also supported and enhanced instructional readiness. All 170 schools and centers opened on time, clean, and ready to receive teachers and students. The Office of Maintenance completed 1,193 work orders and 447 maintenance upgrades were addressed. These included electrical repairs, fire alarm testing, stage refinishing, gym line painting, boiler repairs, interior and exterior

REPORTS (cont)

door replacement, storm drain repairs, lavatory stall replacements, carpet and floor tile replacement, plumbing repairs, abatement projects, and stage curtain replacements. The Office of Grounds completed 1,277 work orders including mowing, signage, line marking, graffiti removal, safety related concrete repairs, turf and fence repair, tree removal, playground equipment repairs, blacktop, equipment repairs, and athletic field repairs.

- B. **Report on Articulated Instruction Module (AIM)** – Dr. Barbara Dezmon, Assistant Superintendent, Office of Equity and Assurance, shared with Board members AIM, a tool that addresses articulation and alignment of the BCPS curriculum. AIM helps make certain that the written curriculum is taught and assessed with consistency throughout the county and in all schools.

Dr. Dezmon shared with Board members two major components of AIM:

- Curriculum input/output – used to summarize the most important objectives and key skills students must demonstrate in their coursework.
- Progress reporting – will enable teachers, who choose to use it, an opportunity to provide students and parents with concrete information about their children’s knowledge, skills, and abilities.

By using AIM, any student, parent, or educator can go to the BCPS web site to view and download a summary of the key objectives, knowledge, and skill indicators for BCPS courses through grade 12.

Mr. Hayden asked how much time would it take a teacher to enter the information in a given quarter. Dr. Dezmon responded that if a teacher is familiar with his/her students, it would take approximately 1-1/2 hours. Mr. Hayden asked how much time would it take a teacher to enter the information throughout the year. Dr. Dezmon responded ten to twelve hours per year per five classes.

Ms. Harris asked how this tool correlates with the current report card. Dr. Hairston responded that this is the electronic version of scope and sequence.

Ms. Flynn shared the following concerns:

- Accuracy of reporting information to parents.
- Possible inconsistency with grading.
- Apparent disconnect with PDK audit response and curriculum management plan.

Dr. Hairston commented that this tool responds to the audit.

REPORTS (cont)

Mr. Hayden expressed concern that teachers could select objectives by student or class. It suggests there could be hundreds of objectives and that the AIM form carries over comments from year to year. Dr. Dezmon stated that teachers choose objectives based on what is taught in the classroom during a particular quarter. There are approximately 20 key objectives per year with five key objectives per quarter. The curriculum office provides teachers with these objectives along with five knowledge and skill indicators.

Dr. Dezmon also invited several staff members and parents to come forward to provide comments on AIM.

Ms. Johnson asked whether the voluntary basis of AIM have any impact on the overall effectiveness of this tool on student achievement. Dr. Hairston stated that there will be a meeting on September 10 exposing principals to this tool. The school system still needs time to get professional development into position to provide support for teachers.

Mr. Janssen asked Dr. Dezmon to elaborate on the “Hawthorne” effect. Dr. Dezmon stated that there are potential effects on student testing and that the school system should not solely rely on testing as the major source of information regarding a student’s achievement.

PERSONNEL MATTERS

On motion of Mr. Pallozzi, seconded by Mr. Janssen, the board approved the personnel matters as presented on Exhibits S, T, U, V, and W. (Copies of the exhibits are attached to the formal minutes). Mr. Hayden abstained from voting on exhibit W.

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Ms. Shillman, recommended approval of items 1-10 (Exhibit X). Ms. Flynn abstained from voting on item 6, and Mr. Janssen abstained from voting on item 9 and 10.

The board approved these recommendations.

1. Contract Modification: Vehicle Parts and Materials
2. Fingerprinting and Background Investigation Services
3. HVAC Supplies
4. Physical Exams, General
5. Physical Exams, Baltimore County Retirement System Eligibility
6. Resident Teachers Coaches Program

BUILDING AND CONTRACT AWARDS (cont)

7. Title II-D Federal Grant Evaluation Services
8. Contract Modification: Systemic Renovation at Hereford Middle School
9. Contract Modification: General Contractor Construction Services Contract – Lansdowne Middle School Renovation
10. Contract Modification: General Contractor Construction Services Contract – Perry Hall Middle School Renovation

APPEAL TO CASE #07-17

On a motion of Mr. Parker, seconded by Ms. Harris, the board approved to affirm the hearing examiner's decision in case #07-17. Mr. Janssen, Ms. O'Hare, and Mr. Hayden abstained from voting (favor-7; abstained-3; opposed-0).

INFORMATION

The Board received the following as information:

- A. FY 2009 Operating Budget Schedule for 2007-2008
- B. Deletion of Superintendent's Rule 1310 – COMMUNITY RELATIONS: Use of School Facilities-Fund Raising
- C. Revised Superintendent's Rule 3125 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-School Activity Funds
- D. Revised Superintendent's Rule 7310 – NEW CONSTRUCTION: Financing-Determination of School Construction Costs
- E. Deletion of Superintendent's Rule 7510 – NEW CONSTRUCTION: Occupying-Inspection and Acceptance of Completed Project

ANNOUNCEMENTS

Ms. Murphy made the following announcements:

- The Southeast Area Education Advisory Council will meet on Monday, September 10, 2007, at Sparrows Point High School beginning at 7:30 p.m.

ANNOUNCEMENTS (cont)

- The Board of Education of Baltimore County will hold its next regularly scheduled meeting on Tuesday, September 18, 2007, at Greenwood. The meeting will begin with an open session at approximately 5:00 p.m. The Board will then adjourn to meet in closed session, which will be followed by a brief dinner recess. The open session will reconvene at approximately 7:30 p.m. The public is welcome to all open sessions.
- On Wednesday, September 19, 2007, the Baltimore County Board of Education will conduct a work session on the Proposed FY09 Capital State Budget. The meeting will take place in room 114 of the ESS Building at 7:00 p.m. The meeting is open to the public.

Ms. Murphy stated that public comment is one of the opportunities provided to hear the views and receive the advice of community members. The members of the board appreciate hearing from interested citizens and will take their comments into consideration, even though it is not the board's practice to take action at this time on issues which are raised. When appropriate, the board will refer concerns to the superintendent for follow-up by his staff.

While the board encourages public input on policy, programs, and practices within the purview of this Board and this school system, this is not the proper avenue to address specific student or employee matters, or to comment on matters that do not relate to public education in Baltimore County. The board encourages everyone to utilize existing avenues of redress for complaints. Inappropriate personal remarks or other behavior that disrupts or interferes with the conduct of this meeting are out of order.

Ms. Murphy also asked speakers to observe the light system, which lets the speaker know when time is up. She asked speakers to conclude their remarks when they see the red light.

PUBLIC COMMENT ON PROPOSED NEW POLICY 4008

Mr. John Desmone, Executive Director of the Council of Administrative and Supervisory Employees (CASE), stated that CASE is not opposed to the intent of the policy but its wording. He commented that the wording "obeying the rules and decision of their supervisors" is vague and could invite unequal treatment among employees. Mr. Desmone stated that CASE believes its Master Agreement establishes procedure that should be followed.

Ms. Cheryl Bost, president of the Teachers Association of Baltimore County, concurred with the previous speaker. She emphasized that "obeying...supervisors" is vague.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 7120

No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 7450

No one from the public signed up to speak on this policy.

GENERAL PUBLIC COMMENT

Ms. Cheryl Bost stated that she does not support the Articulated Instruction Model (AIM).

Ms. Kathleen King expressed concern with the timeframe of the student appeal process.

Mr. Mohammad Jameel believes that the cultural enrichment program is an important part of education.

Dr. Bash Pharoan stated that the holiday issue has been brought before the Board for four years and that one religion is being discussed while others are being left out.

ADJOURNMENT

At 10:40 p.m., Mr. Pallozzi 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

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TENTATIVE MINUTES

REPORT OF THE WORK SESSION ON THE PROPOSED FISCAL YEAR 2009 CAPITAL BUDGET RECOMMENDATIONS

Wednesday, September 19, 2007
Greenwood

The Board of Education of Baltimore County, Maryland, met in open session at 7:00 p.m. at Greenwood. President JoAnn C. Murphy and the following board members were present: Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. Joseph J. Pallozzi, Mr. H. Edward Parker, Jr., and Ms. Joy Shillman. In addition, J. Robert Haines, Esq., Deputy Superintendent, and staff members were present.

Ms. Murphy stated the purpose of the work session and thanked staff for its work in preparing the information presented at the meeting.

Ms. Barbara Burnopp, Chief Financial Officer, reviewed the project priority order and provided background information on the capital budget process. She noted that the board will take action at its October 2 meeting on the state capital request. However, projects involving county funds will be discussed in December and action taken at a January board meeting. The staff recommends requesting \$94 million in state funding. She noted that items 36 and 37, George Washington Carver Center for Arts and Technology, are combined for a total of \$26 million, and for the first time, ten high schools have been placed on the priority list under the limited renovation program.

Mr. Parker asked if the money from the county matches state funding dollar for dollar. Ms. Burnopp responded it will vary from project to project.

Mr. Sines reviewed with board members the breakdown of the FY09 proposed state capital budget request noting that this is a living, working document. Feasibility studies are underway for Loch Raven High School, Dogwood Elementary School, Cedarmere Elementary School, and Mays Chapel Special Education School. Mr. Sines stated that in FY09, BCPS has nine high schools slated for funding at the state level and one high school slated for funding at the county level. Since BCPS has adopted the limited renovation program, the school system believes it is feasible to "blaze through" the first ten high schools once the monies are approved by the funding authorities.

Ms. Shillman asked whether the high schools are higher on the priority list. Mr. Sines responded that BCPS is asking the state for planning approval to get design teams in place and begin construction when funding becomes available. The capital budget request shows that nine high schools will be considered as part of the limited renovation program. For Woodlawn High School, the school system is asking for a partial renovation on the auditorium and gym.

Ms. Shillman inquired about Dundalk High School. Mr. Sines responded BCPS is asking for planning authority. Ms. Burnopp noted that there are two requests to the state: planning and funding.

Ms. Shillman asked whether Hereford High School needs more than Dundalk High School. Mr. Sines responded that the priority list has been created based on the age of the school building. Mr. Sines noted that the school system is trying to accomplish the renovation of all 25 high schools. The goal is to look at the infrastructure of the high schools and establish a baseline. He stated that if the

school system engages in an assessment of need and age, which some LEAs have done, BCPS would need three more years of planning, and millions of dollars would be spent in feasibility studies.

Mr. Haines commented that limited renovations allow BCPS to have a more comprehensive program without renovating the entire building and giving the school system the ability to return to the state at a future date for additional funding.

Ms. Johnson asked where air conditioning fits in with the limited renovation program. Mr. Sines responded that feasibility studies incorporate the study of air conditioning. He noted that if the study shows that air conditioning is not financially feasible, then a decision will need to be made at that time. Ms. Johnson asked that once the infrastructure is in place, where items, such as the Milford Mill Academy band room, would be placed on the list. Mr. Sines responded those types of items would be taken into consideration when the feasibility study is conducted through interviews with school personnel.

Mr. Janssen asked if the school system has a document listing the conditions of HVAC and boilers in the school buildings. Mr. Sines responded that a new combined database with information from maintenance and engineering is being generated relative to HVAC and boilers. Mr. Janssen stated that while he supports air conditioning in schools, it bears a heavy price tag.

Ms. Shillman asked if BCPS can return to the state and request funding for the air conditioning at Dumbarton Middle School since the school had a completed renovation but air conditioning was not affordable. Mr. Sines responded he would need to check on that and get back with the Board. Ms. Shillman asked if it is possible to place window air conditioners in each classroom. Mr. Sines responded window air conditioners are not feasible. It would destroy window systems and cripple the school system's operating budget.

Ms. Johnson asked if there were non-traditional methods that could be explored regarding air conditioning. Mr. Sines responded that Vincent Farm Elementary School will have a geothermal heat pump system, which is state-of-the-art, environmentally friendly, and controls the environment year round. This and other state-of-the-art controls will be concerned as practical in the future.

ADJOURNMENT

The work session adjourned at 7:32 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED FY 2009 STATE CAPITAL BUDGET REQUEST**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer
Michael Sines, Executive Director of Physical Facilities

RECOMMENDATION

That the Board of Education approve the superintendent's proposed FY 2009 state capital budget recommendations. The budget was introduced at the September 18, 2007 Board meeting and a work session was held on September 19, 2007. The proposal has been revised based on eligibility of projects for state funding. Ultimately, state-funded projects will require that county matching funds be verified before final state adoption in May.

Attachment I – Proposed FY 2009 State Capital Budget Request by Priority Order

Baltimore County Public Schools

Attachment I

**Proposed FY 2009 State Capital Budget Request by Priority Order
October 2, 2007**

Priority			State Planning	Previous	State Funding	Cumulative
Order	School	Project	Approval Granted	State Funding	to be Requested	Total
1	Old Court MS - Planning	Limited Renovation, Roof, Gym Ren.	No	\$0	\$0	\$0
2	Old Court MS	Limited Renovation, Roof, Gym Ren.	No	0	8,530,000	8,530,000
3	Sandalwood ES	HVAC	NA	0	815,000	9,345,000
4	Catonsville HS	Boiler Replacement	NA	0	250,000	9,595,000
5	Joppa View ES	Roof Replacement	NA	0	686,000	10,281,000
6	Ridgley MS	Roof Replacement	NA	0	977,000	11,258,000
7	Riderwood ES	Window Replacement	NA	0	127,000	11,385,000
8	Cockeysville MS - Planning	Limited Renovation, Roof, Windows	No	0	0	11,385,000
9	Cockeysville MS	Limited Renovation, Roof, Windows	No	0	7,026,000	18,411,000
10	Loch Raven HS	HVAC	NA	0	1,925,000	20,336,000
11	Chesapeake HS	Boiler Replacement	NA	0	300,000	20,636,000
12	Arbutus ES	Roof Replacement	NA	0	354,000	20,990,000
13	Western Tech HS	Roof Replacement	NA	0	1,024,000	22,014,000
14	Winand ES	Window Replacement	NA	0	233,000	22,247,000
15	Pine Grove MS	Limited Renovation	Yes	4,307,000	428,000	22,675,000
16	Hereford MS - Planning	Limited Renovation	No	0	0	22,675,000
17	Hereford MS	Limited Renovation	No	0	5,225,000	27,900,000
18	Shady Spring ES	Boiler Replacement	NA	0	250,000	28,150,000
19	Winfield ES	Window Replacement	NA	0	118,000	28,268,000
20	Riderwood ES	Roof Replacement	NA	0	529,000	28,797,000
21	Kingsville ES	Roof Replacement	NA	0	514,000	29,311,000
22	Chesapeake HS	Air Handling System	NA	0	776,000	30,087,000
23	Red House Run ES	Window Replacement	NA	0	125,000	30,212,000
24	Woodbridge ES	Roof Replacement	NA	0	517,000	30,729,000
25	Perry Hall MS	Roof Replacement	NA	0	1,850,000	32,579,000
26	Pikesville MS	Roof Replacement	NA	0	1,306,000	33,885,000
27	Catonsville MS - Planning	New Addition	No	0	0	33,885,000
28	Catonsville MS	New Addition	No	0	2,110,000	35,995,000
29	Sandy Plains ES	Window Replacement	NA	0	167,000	36,162,000

Baltimore County Public Schools

Proposed FY 2009 State Capital Budget Request by Priority Order October 2, 2007

Priority			State Planning	Previous	State Funding	Cumulative
Order	School	Project	Approval Granted	State Funding	to be Requested	Total
30	Dogwood ES - Planning	New Addition	No	0	0	36,162,000
31	Cedarmere ES - Planning	New Addition	No	0	0	36,162,000
32	Loch Raven HS - Planning	New Addition	No	0	0	36,162,000
33	Mays Chapel Special Education - Plan.	New Construction	No	0	0	36,162,000
34	Hillcrest ES - Planning	New Addition	No	0	0	36,162,000
35	Hillcrest ES	New Addition	No	0	2,060,000	38,222,000
36	George Washington Carver Ctr. - Plan.	Limited Renovation, New Auditorium	No	0	0	38,222,000
37	George Washington Carver Center	Limited Renovation, New Auditorium	No	0	26,000,000	64,222,000
38	Catonsville HS - Planning	Limited Renovation	No	0	0	64,222,000
39	Catonsville HS	Limited Renovation	No	0	26,000,000	90,222,000
40	Milford Mill Academy - Planning	Limited Renovation	No	0	0	90,222,000
41	Woodlawn HS - Planning	Auditorium & Gym. Renovation	No	0	0	90,222,000
42	Woodlawn HS	Auditorium & Gym. Renovation	No	0	1,675,000	91,897,000
43	Sollers Point Technical HS - Planning	Limited Renovation	No	0	0	91,897,000
44	Hereford HS - Planning	Limited Renovation	No	0	0	91,897,000
45	Kenwood HS - Planning	Limited Renovation	No	0	0	91,897,000
46	Parkville HS - Planning	Limited Renovation	No	0	0	91,897,000
47	Dundalk HS - Planning	Limited Renovation	No	0	0	91,897,000
48	Franklin HS - Planning	Limited Renovation	No	0	0	91,897,000
Totals:				\$4,307,000	\$91,897,000	

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 2361 –
ADMINISTRATION: ADMINISTRATIVE OPERATIONS-STUDENT
CARRIERS**

ORIGINATOR:

**RESOURCE
PERSON(S):**

RECOMMENDATION

That the Board of Education approve the changes to Policy 2361. This is the third reading of this Policy.

Attachment I – Policy Analysis
Attachment II – Proposed Policy 2361

BOARD OF EDUCATION OF BALTIMORE COUNTY
Policy Analysis for Proposed Revision of Policy 2361: Student Carriers

Statement of Issues Addressed By the Proposed Policy

The Board of Education’s policy regarding the distribution of materials was adopted on November 16, 1972 and was last revised on August 16, 1990.

Recent federal case law has addressed distribution of flyers in public schools, *Child Evangelism Fellowship of Maryland v. Montgomery County Public Schools*, 456 F.3d 376 (4th Cir. 2006); therefore the proposed policy revisions address issues raised by the litigation.

Currently, the approval process for the distribution of materials is centralized. The central office is currently expending a considerable amount of time and resources handling the distribution of materials process. As of September 12, 2007, over 100 requests for distribution of materials have been received and are being processed. The assigned staff member spends approximately three to four hours each day faxing, emailing, and handling matters related to the distribution of materials. A review of the current process determined that it would be more efficient for the approval process to be handled at the school level.

Policy 2361 references “school-sponsored established business partnerships,” such as ‘Kids Helping Hopkins.’ Note that this organization has also been approved for student service learning credit. Organizations approved for student service learning opportunities would also be defined as “school-sponsored established business partnerships.” However, not all “school-sponsored established business partnerships” would be approved for student service learning credit.

Cost Analysis

Not applicable

Relationship to Other Board of Education Policies

Policy 1210, Relationship with Parent-Teacher Associations
Rule 1210, Relationship with Parent-Teacher Associations
Policy 1310, Fund Raising

Legal Requirement

Child Evangelism Fellowship of Maryland v. Montgomery County Public Schools, 456 F.3d 376 (4th Cir. 2006)

Similar Policies Adopted by Other School Systems

Montgomery County Public Schools, Policy CNA
Montgomery County Public Schools, Regulation CAN-RA
Howard County Public Schools, No. 3131
Howard County Public Schools, No. PR-3131
Prince George’s County Public Schools, Policy No. 1113
Anne Arundel County Public Schools, Administrative Regulation: 500

Anne Arundel County Public Schools, Policy Code: 500
Fairfax County Public Schools, Policy 1365.3
Fairfax County Public Schools, Regulation 1367.1

Draft of Proposed Policy and Rule (see attached Policy)

Other Alternatives Considered by Staff

Alternative methods of communication and action considered by staff included:

Developing a Rule that corresponds to Policy 2361.

ADMINISTRATION: Administrative Operations

General: [Student Carriers] DISTRIBUTION OF MATERIALS IN SCHOOLS AND OFFICES

THE BOARD OF EDUCATION OF BALTIMORE COUNTY IS AWARE THAT COMMUNITY GROUPS, INCLUDING PARENT-TEACHER ASSOCIATIONS, OFTEN PROVIDE HELPFUL INFORMATION TO STUDENTS AND TO THEIR FAMILIES TO SUPPORT THE BUSINESS OF LEARNING. UNLESS THE MATERIALS CONCERN SCHOOL-SPONSORED ESTABLISHED BUSINESS PARTNERSHIPS, BALTIMORE COUNTY PUBLIC SCHOOLS LIMITS THE DISTRIBUTION OF MATERIALS TO MATERIALS PUBLISHED BY ENTITIES OF FEDERAL, STATE, AND LOCAL GOVERNMENT AND PARENT-TEACHER ASSOCIATIONS.

THE BOARD DIRECTS THE SUPERINTENDENT TO ESTABLISH PROCEDURES TO IMPLEMENT THIS POLICY.

[All requests from groups or individuals to distribute materials to people in the community by students will be referred to the head of the Division of Administration to determine whether the requests comply with overall school purpose and policy.

Exceptions, approved by the principal, providing distribution of such materials does not violate a Board policy or rule, are granted for:

1. Local school matters
2. PTA materials
3. Materials pertaining to activities of the Department of Recreation and Parks

Under no circumstances are materials pertaining to elections to be distributed through student carriers. However, official PTA newsletters containing legislative and referenda information may be distributed through student carriers.]

Policy		Board of Education of Baltimore County
Adopted:	11/16/72	
Revised:	12/8/88	
Revised:	8/16/90	
REVISED:		

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **POLICY 3210 – NON-INSTRUCTIONAL SERVICES: PURCHASING SERVICES – PURCHASING GUIDES**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer

RECOMMENDATION

That the Board of Education approve revisions to Policy 3210 – NON-INSTRUCTIONAL SERVICES: Purchasing Services – Purchasing Guides. This is the third reading of this policy.

- Attachment I – Policy Analysis 3210
- Attachment II – Policy 3210

BOARD OF EDUCATION OF BALTIMORE COUNTY
Policy Analysis for Proposed Revision to Policy 3210:
Purchasing Services – Purchasing Guidelines

Statement of Issues Addressed by the Proposed Policy Revision

This policy addresses guidelines for procedures, bids, award of contracts, informal bids and relations with vendors. It was last updated in 1999.

The revisions clarify the policy to bring it in line with the applicable law pertaining to bids and selection of textbooks and materials of instruction. The revision also adds reference to the proposed new policy 3231 – Vendor Performance Evaluation.

Cost Analysis

There is no new fiscal impact on the system as a result of the proposed revisions.

Legal Requirement

Annotated Code of Maryland, Education Article § 5-112 – Bids.

Annotated Code of Maryland, Education Article § 7-106 – Textbooks, materials of instruction and supplies.

MSDE *Financial Reporting Manual for Maryland Public Schools* – referenced in §5-112.

Interagency Committee on School Construction *Administrative Procedures Guide*.

Similar Policies Adopted by Other School Systems

All Maryland Local Education Agencies surveyed have policies and/or procedures that address formal bidding requirements, and establish the Office of Purchasing as responsible for administering procurement activities.

Draft of Proposed Policy (see attached)

Other Alternatives Considered by Staff

Applicable laws and regulations were reviewed, in addition to reviewing processes and procedures in other LEA's.

NON-INSTRUCTIONAL SERVICES: Purchasing Services

Purchasing Guides

1. Procedures

The Office of Purchasing, serving as the designated agent of the Board of Education of Baltimore County (BOARD), shall administer all procurement activities in accordance with all regulations and statutes as provided by the Annotated Code of Maryland, Education Article, [and] the policies [and rules] of the Board [of Education of Baltimore County] , AND THE SUPERINTENDENT'S RULES.

The Office of Purchasing shall provide for the PROCUREMENT OF GOODS AND SERVICES [expenditure of funds (capital, operating, special revenue, grants, etc.)] through BIDS AND CONTRACTS, a [centralized procurement (requisition/purchase order)] process, use of a [BCPS'] procurement card, [and] the issuance of [BCPS'] published catalogs of operational and instructional supplies, equipment, media, and textbooks, and through the electronic transmission of requisitions and purchase orders.

2. Formal Bids

Formal advertised bids shall be obtained for all construction, and renovation projects, for the purchase of equipment, AND supplies, [and services,] excluding BOOKS AND OTHER MATERIALS OF INSTRUCTION AND emergencies, in accordance with §5-112 and §7-106, Annotated Code of Maryland, Education ARTICLE.

The Board [of Education] shall reserve the right to waive any informalities in all bids; and to reject any or all bids, and to re-advertise for new proposals, and to utilize contracts awarded or negotiated by other government agencies.

3. Award of Contracts

The Board [of Education] shall accept contract recommendations for consideration at its regularly scheduled meeting. The Board [of Education] reserves the right to approve, defer, or deny an award of contract. Staff shall take all necessary action to observe and enact the decision of the Board.

In approving contract recommendations [for construction projects,] the Board [of Education] may authorize the addition of a percentage of the overall project or award value as a contingency fee or change order allocation. Expenditure of said funds shall be closely monitored by staff. [Appropriate documentation of said expenditures shall be submitted to the Board or its designee prior to utilization of the funds.]

The superintendent shall establish and publish [formal] procedures for bidders and/or vendors to appeal contract related decisions.

4. Informal Bids and Price Solicitations

The Office of Purchasing shall have the option to issue [informal] bids, REQUESTS FOR PROPOSALS, or solicit price quotations for ANY requirements [, excluding emergencies, having a dollar value less than the statutory bidding requirement] THAT DO NOT REQUIRE FORMAL BIDS. This action shall be based upon the BEST INTEREST OF THE SCHOOL SYSTEM, value of the purchase, its function, the length of the contract, [and] the need to ensure the vendor's performance, TO MAINTAIN RELIABLE SOURCES OF SUPPLY, AND TO ENCOURAGE A COMPETITIVE BUYING ATMOSPHERE.

5. Relations with Vendors

The OFFICE OF Purchasing [Office] shall encourage fair and equal treatment of all prospective vendors and bidders and shall be consistent with the practices of the Board [of Education of Baltimore County]. Understanding, confidence, respect, and fairness are the foundation for the policy of the Board [of Education] in its relationship with vendors.

Legal Reference: Annotated Code of Maryland, Education Article §5-112 Bids §7-106 Textbooks, materials of instruction and supplies

[Reference:]

[See "Relationships with private Business, "Series 1000, Community Relations]

RELATED POLICIES: BOARD OF EDUCATION POLICY SERIES 7000, NEW CONSTRUCTION

BOARD OF EDUCATION POLICY SERIES 6160 – INSTRUCTION – INSTRUCTIONAL SERVICES, SELECTION OF INSTRUCTIONAL MATERIALS

BOARD OF EDUCATION POLICY 3270 – PURCHASING SERVICES, VENDOR PERFORMANCE EVALUATION

Policy
Adopted: 9/18/68
Revised: 7/12/84
Revised: 8/10/93
Revised: 7/13/99

Board of Education of Baltimore County

ALL CAPS indicate new material.
Brackets [] indicate deleted material.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED CHANGES OF BOARD OF EDUCATION POLICY
5560, STUDENTS: SUSPENSION OR EXPULSION**

ORIGINATOR: Dr. Sonia Diaz, Chief Academic Officer

**RESOURCE
PERSON(S):** Dale R. Rauenzahn, Executive Director, Student Support Services
Patsy J. Holmes, Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 5560, STUDENTS: Suspension or Expulsion. This is the third reading of this policy.

Attachment I – Policy Analysis
Attachment II – Policy 5560

BOARD OF EDUCATION POLICY ANALYSIS
Revisions to Board of Education Policy 5560
STUDENTS: Conduct
Suspension or Expulsion

Statement of issues or questions to be addressed by the proposed policy

The Department of Student Support Services is in the process of reviewing policies in the 5000 Series. The department is recommending minor revisions to the policy to permit it to align with current practices of the Board of Education concerning student behavior. More importantly, the policy now reflects the Board's commitment to review its policies, to the best of its ability, on a five year cycle. Lastly, the policy reflects the department's inclusion of the assignment to an alternative program as a consequence for disruptive student behavior in school.

Fiscal Impact on the school system

No fiscal impact is anticipated or contemplated by this revision.

Relationship to other Board of Education Policies

This policy addresses consequences for inappropriate student behavior with assignment to an alternative program being one of those consequences.

Legal requirements, such as federal, state or local laws or regulations

Md. Ed. Art. § 7-305 provides that "At the request of a principal, a county superintendent may suspend a student for more than 10 school days or expel the student."

Similar Policies adopted by other school systems

HARFORD COUNTY BOARD OF EDUCATION

Policy Number 0011-000, Student Behavior

<http://www.hcps.org/BOE/PoliciesProcedures/docs/students.pdf>

HOWARD COUNTY BOARD OF EDUCATION

Policy Number 9200-3431, Students Discipline

<http://www.hcpss.org/board/policies/9000.pdf>

A draft of the proposed policy

See attached

Other alternatives that were considered by the Board members

The Department of Student Support Services did not consider other alternatives.

STUDENTS: Conduct

SuspensionS, ASSIGNMENT TO ALTERNATIVE PROGRAMS, or ExpulsionS

1. Definitions

Within the Baltimore County Public Schools (BCPS), the following types of suspensions, ASSIGNMENTS, and expulsions are utilized:

A. Short-term Suspension

Temporary suspension of a student by the principal for a period not to exceed ten (10) school days

B Long-term Suspension

Long-term suspension of a student for more than ten (10) school days and less than 45 school days imposed by the Superintendent [or the designee] after reviewing the school suspension. All cases of long-term suspension are subject to review for readmission to the day school program

C. ASSIGNMENT TO ALTERNATIVE PROGRAMS

ASSIGNMENT OF A STUDENT TO AN ALTERNATIVE PROGRAM IS THE REQUIRED TRANSFER FROM THE DAY SCHOOL PROGRAM OF A STUDENT OF ANY AGE BY DIRECTION OF THE SUPERINTENDENT UPON REVIEW OF THE STUDENT'S SUSPENSION FROM SCHOOL. ALL CASES OF ASSIGNMENT TO ALTERNATIVE PROGRAMS ARE SUBJECT TO REVIEW FOR READMISSION TO THE DAY SCHOOL PROGRAM.

D. [C.]Expulsion

Expulsion is the required [withdrawal] TRANSFER from the day school program of a student of any age by direction of the Superintendent [or the designee,] upon review of the suspension from school. All cases of expulsion are subject to review for readmission to the day school program.

Use of the suspension, ALTERNATIVE PROGRAM ASSIGNMENT, or the expulsion process in BCPS is an administrative responsibility sanctioned by State law and by policies of the Board of Education OF BALTIMORE COUNTY (BOARD) as a measure

to be used in the discipline of students. Principals have full authority to use short-term suspension in a judicious manner, i.e., where the procedure fits the offense and the offender and is not unreasonable, excessive, or malicious. Complete records must be available to justify each suspension.

To provide an environment in which all students may achieve their potential, the maintenance of acceptable standards of conduct is required. The judicious use of suspension may be a contributing factor in providing a positive learning atmosphere within the total school environment. Generally, the suspension of a student should not be implemented until all appropriate school resources, INTERVENTIONS, AND SUPPORTS have been utilized to help the student [to] modify the behavior, which necessitated the suspension. It must be recognized, however, that some acts of behavior as defined in the policies, “Alcoholic Beverages and Drugs” 5540 and “Disruptive Behavior” 5550, warrant immediate and mandatory ASSIGNMENT TO AN ALTERNATIVE PROGRAM OR expulsion.

Students are suspended to the Superintendent [or designee] to determine whether a suspension longer than ten (10) school days or an ASSIGNMENT TO AN ALTERNATIVE PROGRAM OR expulsion is warranted.

A student, parents/GUARDIANS [or guardian] may appeal a short-term suspension, ALTERNATIVE PROGRAM ASSIGNMENT, long-term suspension, or expulsion to the Board [of Education] by sending such a request in writing to the Superintendent [of Schools] within ten (10) school days of the decision [by the principal, Superintendent or the designee]. Upon appeal, the Board or a designated committee thereof shall hear the matter promptly but in no event later than fifteen (15) school days from the date of receipt of notice of appeal in the Superintendent’s office. Each party shall be afforded the opportunity to present witnesses and be represented by counsel. Unless a public hearing is requested by the student, parent[,]/GUARDIAN [or guardian], the hearing shall be conducted out of the presence of all persons except those whose presence is deemed necessary or desirable by the Board. The appeal to the Board [of Education] shall not operate as a stay of the decision of the Superintendent, and the decision of the Board shall be final.

The function of the Board is to hold a hearing to determine whether the testimony and exhibits presented support the charges upon which the SUSPENSION, LONG-TERM SUSPENSION, ALTERNATIVE PROGRAM ASSIGNMENT, OR expulsion was based. The Board delegates to the Superintendent [of Schools] the responsibility for determining the duration of A SUSPENSION, LONG-TERM SUSPENSION, an ALTERNATIVE PROGRAM ASSIGNMENT, OR expulsion [or a long-term

suspension] and the consideration of readmission. The Superintendent shall consider mitigating circumstances in making such decisions.

SCOPE OF AUTHORITY

The provisions of this policy apply to: (1) school activities on property owned by the Board [of Education]; (2) travel on school buses; (3) off-site school-sponsored activities; (4) on- or off-site school related problems which are the result or cause of disruptive behavior on school grounds; and (5) violent acts of behavior which occur off school property that pose a threat to the safety of students and faculty or that disrupt the learning environment. Suspended, REASSIGNED, or expelled students are prohibited from participating in school activities, on or off campus, sponsored by any BCPS school. Students may enroll in alternative educational programs and participate in appropriate graduation activities organized by the Office of Alternative [Programs] EDUCATION, DROPOUT PREVENTION AND SUMMER SCHOOL. Also, STUDENTS ASSIGNED TO ALTERNATIVE PROGRAMS AND expelled students may receive counseling services at the Alternative Program centers and at the schools from which they have been REASSIGNED OR expelled after obtaining special permission from the principals of those schools.

Legal References: *Annotated Code of Maryland*, Education Article §§7-304 to -305
COMAR 13A.08.01.11
COMAR 13A.08.01.17

Policy

Board of Education of Baltimore County

Adopted: 7/8/76
Revised: 7/9/81
Revised: 6/24/82
Revised: 5/12/83
Revised: 6/19/86
Revised: 7/2/96
Revised: 6/10/03
REVISED:

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8130 – INTERNAL BOARD POLICIES: ORGANIZATION-FORMULATION**

ORIGINATOR:

RESOURCE PERSON(S):

RECOMMENDATION

That the Board of Education approves the changes to Policy 8130. This is the third reading of this policy.

Attachment I – Policy Analysis
Attachment II – Proposed Policy 8130

BOARD OF EDUCATION POLICY ANALYSIS

Revisions to Board of Education Policy 8130
Internal Board Policies: Organization: Formulation

Statement of issues or questions to be addressed by the proposed policy

The Board of Education's Policy Review Committee continues its process of revising the Board's internal policies. (8000 Series) The Committee is recommending amendments to Policy 8130 so that it reflects current practices of the Board of Education concerning adoption of curriculum. Additionally, the Board Committee has revised and expanded its statement concerning the significance and purpose of Board Policy. Following discussion at with the full Board, this statement has been expanded.

Additionally, the policy now reflects the Board's commitment to review its policies, to the best of its ability, on a five year cycle. Lastly, the Policy reflects the Committee's use of a new term in policies: "re-adoption." This term shall be used when a policy has been reviewed, but when no revisions have been recommended.

Fiscal Impact on the school system

No fiscal impact is anticipated or contemplated by this revision.

Relationship to other Board of Education Policies

This policy establishes the manner in which all policy revisions are presented to the Board.

Similar Policies adopted by other local school systems

HARFORD COUNTY BOARD OF EDUCATION

Policy Number 22-0014-000, *Policy Development and Review*

http://www.hcps.org/BOE/PoliciesProcedures/docs/School_System_Governance/0014-000%20Policy%20Development%20and%20Review.pdf

HOWARD COUNTY BOARD OF EDUCATION

Policy 2020 Policy Development and Adoption

<http://www.hcpss.org/board/policies/2020.pdf>

Legal Requirements, such as federal, state or local laws or regulations

Md. Ed. Art. §4-101 provides that "educational matters that affect the counties shall be under the control of a county board of education in each county" and that "each county board shall seek in every way to control and promote the interests of the schools under its jurisdiction."

Md. Ed. Art., §4-108 provides that "[e]ach county board shall . . . "determine, with the advice of the county superintendent, the educational policies of the county school system."

A draft of the proposed policy

See attached

Other alternatives that were considered by the Board members

The Board Committee, following discussion with the full board, revised its “purpose” statement to incorporate discussion at the June Board of Education meeting. However, an “alternative” to the policy was not considered.

Timeline

First Reader, April 24, 2007

Citizen Comment, May 8, 2007

Proposed Date of Adoption, October 2, 2007

INTERNAL BOARD POLICIES: Organization

Formulation

I. PURPOSE

The Board of Education of Baltimore County, representing the people of the county, is, in addition to its many other roles, the legislative body which [determines all questions of general] MAKES policy to be employed by the county's public schools. "Policies" are defined as those principles formally adopted by the Board of Education in order to manage the school system.

The Board shall, to the best of its ability, cause the provisions of state and federal laws and the bylaws and policies of the State Board of Education to be carried out. The Board of Education shall [determine,] with the advice of the county superintendent [, the educational policies of the county and shall prescribe rules and regulations for the conduct and management of the schools.] SET GOALS AND EXPECTATIONS FOR THE SCHOOL SYSTEM THROUGH THE DEVELOPMENT, REVISION, AND ADOPTION OF POLICIES TO GUIDE THE FORMULATION AND IMPLEMENTATION OF EDUCATIONAL PROGRAMS AND THE MANAGEMENT OF SCHOOL SYSTEM OPERATIONS. UNLESS LEGAL OR REGULATORY REQUIREMENTS DEMAND OTHERWISE, THE BOARD SHALL TO THE BEST OF ITS ABILITY, REVIEW ITS POLICIES WITHIN FIVE YEARS OF ADOPTION, AMENDMENT OR RE-ADOPTION.

[Course of study, revised courses, required methods of teaching, and any significant program to be tested in one or more schools for the purpose of being considered for use system-wide shall be approved by the Board of Education prior to implementation or discontinuance.]

II. PROCEDURE

A. [1.] The Board may request or receive a policy analysis from the superintendent on revisions to existing policies or on the need for a new policy.

[2.]1. All policy analyses will include the following elements:

- a. Statement of issues or questions addressed by the proposed policy;
- b. Where appropriate, cost analysis and fiscal impact on school system;

- c. Relationship to other Board of Education policies;
 - d. Legal requirements, such as federal, state, or local laws or regulations;
 - e. Similar policies adopted by other local school systems;
 - f. A draft of the proposed policy[;], AND
 - g. Other alternatives that were considered by staff.
- [3.] B. The policy analysis will be presented to the Board as an item for discussion.
- [4.] C. If limited revisions to existing policies are necessary, the superintendent will present the proposed changes to the Board with an accompanying rationale. There shall be no need for a policy analysis.
- [5.] D. When a board member or the superintendent presents a proposed policy, a time line for adoption will accompany the policy, and will include, where appropriate:
- [a.] 1. Opportunity for citizen comment;
 - [b.] 2. Opportunity for superintendent and staff to provide advice and recommendations;
 - [c.] 3. Proposed date of adoption.
- [6.] E. The superintendent shall, where necessary, develop administrative rules for the implementation of the Board’s policies. Such rules will be presented to the Board for information purposes, but do not require an affirmative vote of the Board.
- [7.] F. Following discussion, the Board shall adopt policies, in public session, and such adoption shall be recorded in the minutes of the Board.

Related Policies: 8140 – Formulation of Administrative Regulations

Policy	Board of Education of Baltimore County
Adopted:	4/13/72
Revised:	7/13/78
Revised:	10/8/96
Revised:	12/4/01
REVISED:	

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED DELETION OF BOARD OF EDUCATION
POLICY 7440 – NEW CONSTRUCTION: CONSTRUCTING**

ORIGINATOR: J. Robert Haines, Deputy Superintendent

**RESOURCE
PERSON(S):** Michael G. Sines, Executive Director of Physical Facilities

RECOMMENDATION

That the Board of Education considers the deletion of Policy 7440. This is the first reading of this policy.

Attachment I – Policy Analysis
Attachment II – Proposed Policy 7440

BOARD OF EDUCATION OF BALTIMORE COUNTY
Policy Analysis for Proposed Revision to Policy 7440
New Construction: Constructing –
Protection and Guarantees

Statement of Issues Addressed by the Proposed Policy Revision

Policy 7440 is being recommended for deletion. The information contained in this policy is already included in construction documents and, therefore, redundant. The rule will also be deleted.

Cost Analysis

There will be no new fiscal impact on the system as a result of the proposed deletion.

Relationship to Other Board of Education Policies

Deletion will not affect any other Board policy.

Legal Requirement

Deletion does not affect legal requirements.

Similar Policies Adopted by Other School Systems

Policies for Montgomery County, Prince Georges County, and Harford County were reviewed and none have similar policies.

Draft of Proposed Policy

See attached.

Other Alternatives Considered by Staff

N/A

NEW CONSTRUCTION: Constructing

Protection and Guarantees

The contractor shall secure, at his/her own expense, such insurance as will protect the contractor and thus the Board of Education's best interests, from claims for damages due to bodily injury, including death, to the contractor's employees, and all others; and from claims under the Worker's Compensation Act and other employee benefit acts; and from claims from damage to property any or all of which may arise both out of, and during operations under the contract, whether such operations be by the contractor, or by any subcontractor, or anyone directly or indirectly employed by either of them. The Superintendent of Schools shall establish administrative procedures, in accordance with pertinent law and regulation, necessary to implement such an insurance program.

Policy
Adopted: 9/25/69]

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED CHANGES TO BOARD OF EDUCATION POLICY
8314 – INTERNAL BOARD POLICIES: OPERATIONS-
MEETINGS: AGENDA**

ORIGINATOR:

**RESOURCE
PERSON(S):**

RECOMMENDATION

That the Board of Education considers the changes to Policy 8314. This is the first reading of this policy.

Attachment I – Policy Analysis
Attachment II – Proposed Policy 8314

BOARD OF EDUCATION POLICY ANALYSIS

Proposed Revisions to Board of Education Policy 8314
Internal Board Policies: Operations: Meetings - Agenda

Statement of issues or questions to be addressed by the proposed policy

The Policy Committee continues its process of reviewing the Board's Internal operating policies. (8000 Series) The Committee recommends that Policy 8314 be amended to reflect current practice and terminology. Additionally, the full Board requested that additional amendments be considered.

Fiscal Impact on the school system

No fiscal impact is anticipated or contemplated by this amendment.

Relationship to other Board of Education Policies

Policy 8311 addresses the manner in which meetings are conducted; Policy 8312 addresses the right of the Board to conduct its meetings.

Similar Policies adopted by other local school systems

PRINCE GEORGE'S COUNTY BOARD OF EDUCATION, Board of Education Bylaw 9362.2, Advance Delivery of Meeting Materials

Legal Requirements, such as federal, state or local laws or regulations

Section 4-107 of the Education Article of the Annotated Code of Maryland provides that "a county board may hold any other meetings that its duties and business require." Additionally, the Open Meetings Act requires that "before meeting in a closed or open session, a public body shall give reasonable advance notice of the session." Md. State Gov't Code Ann., §10-506(a) However, there is no legal requirement concerning the early mailing of agenda materials.

A draft of the proposed policy

See attached

Other alternatives that were considered by the Board members

The Board Committee members did not consider other alternatives.

Timeline

First Reader, October 2, 2007

Citizen Comment, October 23, 2007

Proposed Date of Adoption, November 6, 2007

INTERNAL BOARD POLICIES: Operations

Meetings: Agenda

The business conducted by the Board of Education at any regular meeting will be limited to those matters included on the agenda. Additional items may be added to the agenda by the unanimous consent of the Board members present. HOWEVER, PROPOSED regular agenda items are to be submitted FOR CONSIDERATION to the BOARD'S Secretary-TREASURER by 4:45 p.m. eight (8) days preceding the regular meeting BY BOARD MEMBERS OR BY THE APPROPRIATE STAFF MEMBER.

The [Superintendent] SECRETARY-TREASURER shall prepare the agenda which, with the minutes of the prior meeting, shall be [mailed] PROVIDED to the Board members [five (5) days] prior to each regular Board meeting.

Policy
Adopted: 4/13/72
REVISED:

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston

SUBJECT: **CURRICULUM MANAGEMENT PLAN UPDATE**

ORIGINATOR: Sonia Diaz, Chief Academic Officer

RESOURCE PERSON(S): Yvonne Barhight, Acting Assistant Superintendent for Humanities
Patricia Baltzley, Director of Mathematics
Verletta White, Executive Director of Professional Development

INFORMATION

That the Board of Education receives an update on the Curriculum Management Plan

Curriculum Management Plan Status Update

An organizational meeting with the Curriculum Management Committee was held on September 6, 2007 to set governance protocols and procedures for all work under the Curriculum Management Plan (CMP). The committee:

- Reviewed feedback from principals on Curriculum Management Plan.
- Tasked Curriculum and Instruction staff with developing standard process for selection of curriculum writers – job will be posted October 2, 2007.
- Tasked the Curriculum Development Work Group with developing standard templates for scope and sequence and for curriculum guides. This work is due October 1 for review.
- Tasked Professional Development Work Group with developing scope of work for the Comprehensive Professional Development Plan.
- Tasked the Assessment Work Group with scope of work for Comprehensive Assessment Plan.

The next meeting of the Curriculum Management Committee is scheduled for October 4, 2007. This will be an all day meeting.

All content offices have been developing three to five year plans to address audit findings related to curriculum guides. Final drafts are due Thursday, September 27, 2007. English 11, English 12, and Math 6 are on the priority list for curriculum revision and will be completed by March 2008. The roll-out of professional development for these courses will take place between March and June 2008. Content area offices will address scope and sequences for required core courses; these are due by December 2007.

The finalized work chart for all curricular revisions will be available after October 5, 2007.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

RE: **RECOMMENDATIONS FOR AWARD OF CONTRACTS**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

PERSON(S): Rick Gay, Manager, Office of Purchasing
Michael Sines, Executive Director, Department of Physical Facilities

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 – October 2, 2007**

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

- 1. Contract Modification:** Ethernet Switches/LAN Equipment
Contract #: JMI-628-07

Term: N/A **Extension:** N/A **Contract Ending Date:** 12/31/10
Original estimated total award value: \$3,800,000
Estimated annual modification amount: \$5,000,000
Estimated total modification award value: \$8,800,000

Description:

On February 13, 2007, the Board approved a contract for networking equipment for the ongoing implementation of fiber optics to schools and in upgrading office and school electronics. This is being modified to include additional funding from Baltimore County Government.

Recommendation:

Award of contract modification is recommended to:

Extreme Networks	Santa Clara, CA
Responsible school or office:	Department of Technology
Contact person:	Michael Goodhues
Funding source:	Operating budget
PDK Audit Alignment:	None
Explanatory Details:	The PDK audit does not address this item.

2. Contract: Computer and Peripherals Memory Modules
Contract #: JMI-605-08

Term: 5 years **Extension:** 0 **Contract Ending Date:** 10/31/12
Estimated annual award value: \$100,000
Estimated total award value: \$500,000

Bid issued: August 2, 2007
Pre-bid meeting date: N/A
Due date: August 23, 2007
No. of vendors issued to: 32
No. of bids received: 8
No. of no-bids received: 1

Description:

This contract consists of computer and peripherals memory modules.

Recommendation:

Award of contract is recommended to:

GRRASP, Inc.	Bethesda, MD
OEMPCWorld	San Jose, CA
Rocky Mountain RAM	Louisville, CO

Responsible school or office: Department of Technology

Contact person: Michael Goodhues

Funding source: Operating budget

PDK Audit Alignment: None

Explanatory Details: The PDK audit does not address this item.

3. **Contract:** Digital Video School Bus Surveillance System and Associated Equipment
Contract #: JMI-602-08

Term: 5 years **Extension:** 0 **Contract Ending Date:** 10/31/12
Estimated annual award value: \$ 200,000
Estimated total award value: \$1,000,000

Bid issued: August 2, 2007
Pre-bid meeting date: N/A
Due date: August 23, 2007
No. of vendors issued to: 31
No. of bids received: 4
No. of no-bids received: 1

Description:

This contract consists of providing systems that will facilitate mobile video surveillance and monitoring on buses.

Recommendation:

Award of contract is recommended to:

Sonny Merryman, Inc.	Evington, VA
Responsible school or office:	Office of Transportation
Contact person:	Linda Fitchett
Funding source:	Operating budget
PDK Audit Alignment:	None
Explanatory Details:	The PDK audit does not address this item.

4. Contract: Inspiration License Upgrade
Contract #: JNI-701-08

Term: 1 year **Extension:** 0 **Contract Ending Date:** 10/31/08
Estimated annual award value: \$75,207
Estimated total award value: \$75,207

Bid issued: N/A
Pre-bid meeting date: N/A
Due date: N/A
No. of vendors issued to: N/A
No. of bids received: N/A
No. of no-bids received: N/A

Description:

This contract consists of upgrading licenses for the Inspiration software to its latest version (8.0). Inspiration software is an electronic concept-mapping software tool that encourages students to brainstorm ideas, organize thoughts and information, and demonstrate knowledge. It is especially effective in visualizing ideas, concepts, and relationships as students work to improve writing proficiency in all content areas.

Recommendation:

Award of contract is recommended to:

Kunz, Inc. Baltimore, MD

Responsible school or office: Instructional Technology

Contact person: Thea Jones

Funding source: Operating budget

PDK Audit Alignment: A.9.2

Explanatory Details: Take steps to ensure that all students can succeed regardless of ethnicity, primary language, mobility, or economic status.

5. Contract: Maryland Education Enterprise Consortium (MEEC)
Contract #: JMI-609-08

Term: Until replaced **Extension:** N/A **Contract Ending Date:** Until replaced
Estimated annual award value: \$3,000,000

Bid issued: N/A
Pre-bid meeting date: N/A
Due date: N/A
No. of vendors issued to: N/A
No. of bids received: N/A
No. of no-bids received: N/A

Description:

This contract consists of providing desktop hardware and software from various suppliers on an *as-needed* basis. Services may also be purchased for related hardware; these include but are not limited to, installation, design services, consulting services, configuration services, staff technician certification, disposal services, and hardware leasing opportunities. MEEC is a consortium of public and private K-16+ institutions, public libraries, and museums in the state of Maryland, and it has been organized to provide its members opportunities to license the use of education hardware and software at competitive prices.

This contract is in compliance with Board of Education Policy 3210 which allows Baltimore County Public Schools (BCPS) to utilize contracts awarded or negotiated by other government agencies, as well as §5-112, Paragraph (3) of the Education Article of the Annotated Code of Maryland that allows BCPS to participate in contracts for goods or commodities that are awarded by other public agencies or by intergovernmental purchasing organizations if the lead agency for the contract follows the public bidding procedures. The contracts offered by MEEC are competitively-bid, local government contracts and meet local agency *piggybacking* requirements.

Recommendation:

Award of contract is recommended to:

Bell Industries	Indianapolis, IN
CAS Severn	Laurel, MD
Daly Computers	Clarksburg, MD
Data Networks	Hunt Valley, MD
Dell	Round Rock, TX
DISYS	Chantilly, VA
Early Morning Software, Inc.	Baltimore, MD
Gateway	North Sioux City, SD
Hartford Computer Group	Columbia, MD
iSmart	Elkridge, MD
System Source	Hunt Valley, MD

Responsible school or office: Department of Technology

Contact person:	Michael Goodhues
Funding source:	Operating budget
PDK Audit Alignment:	None
Explanatory Details:	The PDK audit does not address this item.

6. Contract Modification: Construction Contract – Cockeysville Training/Dispatch Building
Contract #: JN1-776-07

Term: N/A **Extension:** N/A **Contract Ending Date:** N/A
Estimated annual award value: \$880,000
Estimated modification amount: \$ 22,667

Description:

On April 24, 2007, the Board approved this contract for the construction of the Cockeysville Training/Dispatch Building. During the construction process, it was discovered that the asphalt paving and grading on the north side of the structure will require additional site work to ensure better site drainage.

Recommendation:

Award of contract modification is recommended to:

Jerry DeBar Construction Co., Inc. Reisterstown, MD

Responsible school or office: Department of Physical Facilities

Contact person: Michael G. Sines

Funding source: Capital budget

PDK Audit: None

Explanatory Details: The PDK audit does not address this item.

7. Contract Modification: Systemic Renovation – General John Stricker Middle School
Contract #: PCR-213-06

Term: N/A **Extension:** N/A **Contract Ending Date:** N/A
Estimated annual award value: \$13,695,000
Estimated modification amount: \$23,820

Description:

On November 8, 2006, the Board approved this contract for the renovation of General John Stricker Middle School. This contract modification includes hot water piping replacement from the penthouse to the boiler room. The architect has reviewed the proposal and found it to be reasonable.

Recommendation:

Award of contract modification is recommended to:

Tuckman-Barbee Construction Co., Inc. Upper Marlboro, MD

Responsible school or office: Department of Physical Facilities

Contact person: Michael G. Sines

Funding source: Capital budget

PDK Audit Alignment: None

Explanatory Details: The PDK audit does not address this item.

8. Contract Modification: Gymnasium Floor Replacement – Woodlawn High School
Contract #: JMI-641-07

Term: N/A **Extension:** N/A **Contract Ending Date:** N/A
Estimated annual award value: \$276,991
Estimated modification amount: \$26,568

Description:

On June 12, 2007, the Board approved a contract with Huntington & Hopkins, Inc. This contract modification will provide for additional work to level the concrete gymnasium floor to create a flat, smooth surface for the new wood flooring.

Recommendation:

Award of contract modification is recommended to:

Huntington & Hopkins, Inc. Hunt Valley, MD

Responsible school or office: Department of Physical Facilities

Contact person: Michael G. Sines

Funding source: Aging School Program

PDK Audit Alignment: None

Explanatory Details: The PDK audit does not address this item.

9. Contract: Roof Replacement – Educational Support Services (ESS) Building
Contract #: PCR-286-08

Term: N/A	Extension: N/A	Contract Ending Date: N/A
Estimated annual award value:		\$298,822
Estimated contingency amount:		29,882
Estimated total award value:		\$328,704

Bid issued:	N/A
Pre-bid meeting date:	N/A
Due date:	N/A
No. of vendors issued to:	N/A
No. of bids received:	N/A
No. of no-bids received:	N/A

Description:

This project consists of the removal of the existing roof system and the installation of approximately 13,725 square feet of a cold roof application, four-ply built-up, cold coat surface, and gravel roof system with a 20-year warranty.

Recommendation:

Award of contract is recommended to:

Pennsylvania Education Joint Purchasing Council (Weatherproofing Technologies, Inc.)	Ashburn, VA
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Responsible school or office:	Department of Physical Facilities
Contact person:	Michael G. Sines
Funding source:	Capital budget
PDK Audit Alignment:	None
Explanatory Details:	The PDK audit does not address this item.

NON-INSTRUCTIONAL SERVICES: Purchasing Services

Purchasing Guides

1. Procedures

The Office of Purchasing shall establish procedures for school administrators and office heads to obtain goods, equipment, and services essential for the effective operation of the school system. These procedures shall include a [centralized] purchase order process, the use of published [BCPS'] catalogs identifying [pre-approved] materials, supplies, equipment, media, and textbooks approved for instructional purposes, the use of a [BCPS'] procurement card for SMALL DOLLAR VALUE purchases [having a dollar value of less than \$1,000], and for the electronic transmission of requisitions and purchase orders.

2. Formal Bids

The Office of Purchasing shall ESTABLISH PROCEDURES FOR THE ISSUANCE [issue] OF formal bids[, for requirements] in compliance with [state procurement regulations,] SECTION §5-112 OF THE ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE.

THE OFFICE OF PURCHASING SHALL ASSIST SPONSORING SCHOOLS AND OFFICES IN DEVELOPING specifications [for all supplies, equipment, services, renovations and construction, shall be developed] for the purpose of obtaining competitive bids. The specifications shall be based on knowledge of use, functional value, product life cycle, environmental impact, operational safety, and in observance of all related federal, state, and county building codes.

The specifications shall identify the requirements for bid security, i.e., a bid bond, certified company or cashier's check, a performance bond, and/or a payment bond. The bid security shall be provided in an amount not less than five percent (5%) of the amount of the base bid.

3. Advertisement

All formal bids shall be advertised [in a local newspaper] in accordance with §5-112, Annotated Code of Maryland, Education Article. ADVERTISEMENTS SHALL BE PLACED ON THE INTERNET, IN THE MARYLAND CONTRACT WEEKLY, AND PROMINENTLY POSTED IN THE OFFICE OF PURCHASING. Notice of formal bids shall also be issued to agencies and

organizations designated by the Governor's Office of Minority Affairs. The Office of Purchasing shall have the option of advertising bids in additional publications to encourage competition and to notify construction industry resources.

4. Informal Bids and Price Solicitations

The Office of Purchasing SHALL ESTABLISH PROCEDURES FOR THE ISSUANCE OF [has the option to issue] informal bids, REQUESTS FOR PROPOSALS (RFP), AND SOLICITATION OF[or solicit] price quotations [for requirements having a dollar value less than the statutory bidding requirement. This judgment is based on the value of the purchase, its function, the length of the contract, the need to ensure the vendor's performance, to maintain reliable sources of supply, and to encourage a competitive buying atmosphere]. Informal bids, RFPs, AND [or] price QUOTATIONS [solicitations] are exempt from the statutory requirements for advertisement and award of contract.

5. INSTRUCTIONAL MATERIALS

BOOKS AND OTHER INSTRUCTIONAL MATERIALS SHALL BE EVALUATED AND SELECTED IN ACCORDANCE WITH BOARD POLICY AND SUPERINTENDENT'S RULE 6163.2 – INSTRUCTION, SELECTION OF INSTRUCTIONAL MATERIALS.

6. [5.]Volume Purchases

The Office of Purchasing shall administer the issuance of [bid specifications to establish] contract(s) [between the Board of Education and award bidders to establish a fixed price] for use by [BCPS'] schools and offices for the purchase of selected supplies, equipment, and furnishings. Information on existing state, county, or local contracts shall be made available to all schools and offices.

7. [6.] TIME AND MATERIAL CONTRACTS

A. CONTRACTS MAY BE ESTABLISHED WITH VENDORS TO PERFORM ON-CALL MAINTENANCE AND REPAIR WORK ON A TIME AND MATERIAL BASIS.

B. APPROVED VENDORS FOR TIME AND MATERIAL MAINTENANCE AND REPAIR WORK SHALL BE SELECTED IN ACCORDANCE WITH THE FORMAL BID PROCESS DESCRIBED ABOVE.

C. ON-CALL TIME AND MATERIAL VENDORS SHALL PROVIDE

WRITTEN PRICE QUOTES FOR INDIVIDUAL PROJECTS.

D. THE MAXIMUM AMOUNT PAID TO A TIME AND MATERIAL VENDOR FOR A SINGLE PROJECT SHALL NOT EXCEED \$100,000. ANY PROJECT WHICH IS EXPECTED TO EXCEED \$100,000 SHALL BE FORMALLY BID.

E. TIME AND MATERIAL CONTRACTORS MAY BE USED TO PERFORM EMERGENCY WORK IN EXCESS OF \$100,000 UPON APPROVAL OF A DECLARED EMERGENCY BY THE PURCHASING MANAGER.

8. [6.] Quality of Goods and Services

The quality standard for goods, equipment, and services shall be established by the Office of Purchasing on advice of school administrators and office heads. The basic criteria in determining quality shall be the function and use of the goods, equipment, or services. Additional factors are availability, product standardization, packaging, the manufacturer's practices, financial stability, and prior performance of the award bidder.

9. AWARD OF CONTRACT

TO DETERMINE THE VENDOR TO WHOM A CONTRACT SHOULD BE AWARDED, THE FOLLOWING CRITERIA MAY BE CONSIDERED:

1. THE PURCHASE PRICE
2. THE REPUTATION OF THE VENDOR'S GOODS OR SERVICES
3. THE QUALITY OF THE VENDOR'S GOODS OR SERVICES
4. THE EXTENT TO WHICH THE GOODS OR SERVICES MEET THE SYSTEM'S NEEDS AND SPECIFICATIONS
5. THE STANDARDIZATION OF EQUIPMENT OR SUPPLIES
6. THE VENDOR'S PAST PERFORMANCE WITH THE SYSTEM
7. THE IMPACT ON THE ABILITY OF THE SYSTEM TO COMPLY WITH THE LAWS AND REGULATIONS RELATING TO MINORITY BUSINESS ENTERPRISES
8. THE TOTAL LONG-TERM COST TO THE SYSTEM TO ACQUIRE THE VENDOR'S GOODS OR SERVICES
9. OTHER CRITERIA THAT IS DETERMINED TO BE ESSENTIAL TO THE DECISION.

10. [7.] Ordering Goods and Services

The Office of Purchasing shall establish PROCEDURES FOR SCHOOLS AND

OFFICES TO ORDER GOODS AND SERVICES. [and utilize a]A formal purchase order document MAY [to] serve as a contract or shall act as a notification against an existing contract between the school system and the vendor(s). [Procedures for the management of such transactions shall be documented by the Office of Purchasing.]

11. [8.] Receiving of Goods and Authorization of Payment

The Offices of Purchasing and Accounting shall establish procedures for the receipt of goods or services delivered to the school building or central office, and related payment. Instructions shall be provided to [each] school administratorS AND [or] office headS [for the effective management of federal, state, and local dollars].

Rule		Superintendent of Schools
Adopted:	9/18/68	
Revised:	6/19/80	
Revised:	8/10/93	
Revised:	7/13/99	
REVISED:		

ALL CAPS indicate new material.
Brackets [] indicate deleted material.

2. Access to Magnet Schools and Programs

- a. To promote equal educational opportunities for all students, it is the goal of the school system to provide all interested students with a fair opportunity for access to magnet schools and programs. To carry out this goal, the Superintendent directs central office staff to assist each magnet program in developing equitable recruitment strategies and to recruit a pool of applicants which reflects the diversity of the school system as a whole.
- b. At the elementary level, the school system will not employ any academic or other admissions criteria for determining whether a child or student is eligible for a magnet program. For secondary magnet programs that have academic or other admissions criteria, each year the Superintendent or the Executive Director of Special Programs, PreK-12, will review and approve those criteria to determine that they are educationally related to the specialized curriculum or instructional strategy.
- c. Where school-within-a-school magnet programs exist, the principal will promote interaction, for as much of the school day as possible, between those students participating in the magnet program and those students who do not. The parent/guardian of a child or student residing in the attendance area of a school housing a magnet program also may apply on behalf of the child or student for admission to the program under the procedures set forth in Section 4e or 4f of this rule.

3. Transportation

- a. The school system will provide transportation to students who reside in the attendance area of a magnet program in accordance with the standards established by the Department of Transportation, as set forth in [Board of Education] Policy 3410.
- b. Transportation to secondary school magnet programs will be provided from [community] pick-up points located **AT DESIGNATED SCHOOL SITES** in each of the five geographic areas.

4. Admissions

- a. The Superintendent or the Executive Director of Special Programs, PreK-12, together with a representative of each magnet program, annually will designate the number of available seats by grade for each magnet program for the following school year.

- b. Each year, the Superintendent or Executive Director of Special Programs, PreK-12, will assess the extent to which each magnet program’s enrollment reflects the diversity of the school system as a whole. Based on this analysis, the Superintendent or Executive Director of Special Programs, PreK-12, may set recruitment goals for groups that are underrepresented in magnet programs. “Recruitment” may include efforts such as targeted mailings, but will not create any priority or preference for admission.
- c. The Superintendent or Executive Director of Special Programs, PreK-12, will make magnet applications and brochures available at all schools, at the central office, and on the Baltimore County Public School’s W[w]eb site. Magnet applications and brochures will be distributed to the parents/guardians of students currently attending pre-kindergarten and the fifth and eighth grades in the Baltimore County Public Schools.
- d. The parent/guardian of a child or student who received and has accepted an offer of admission into a magnet program outside of the [magnet] zoned attendance area must apply for a special permission transfer in accordance with the provisions of Section **III.B.2.** [II.C.2.] or Section **III.B.8** [II.C.8.] of [Superintendent’s] Rule 5140 entitled STUDENTS: Enrollment and Attendance. A parent/guardian must complete the “Application for Special Transfer” **AND “CONTRACT FOR SPECIAL TRANSFER STUDENTS”** [form] **FORMS** and submit [it] **THE FORMS** in accordance with directions provided when admission is offered. The school principal will consider the special permission transfer in accordance with the procedures set forth in [Superintendent’s] Rule 5140. Students approved for a special transfer under the provisions of Section **III.B.2.** [II.C.2.] or Section **III.B.8** [II.C.8.] of [Superintendent’s] Rule 5140 are required to qualify for magnet programs according to the approved program criteria and will be selected according to the procedures set forth in Sections 4e and 4f of [Superintendent’s] **THIS RULE** [Rule 6130]. Parents/guardians of special permission transfer students are responsible for providing transportation to and from the magnet program **UNLESS THE STUDENT CAN BE ACCOMMODATED BY THE EXISTING BUS ROUTES AND EXISTING BUS STOPS OF THAT MAGNET PROGRAM. IN SUCH INSTANCES, THE PARENTS/GUARDIANS ARE RESPONSIBLE FOR PROVIDING TRANSPORTATION TO AND FROM THE EXISTING BUS STOP.**

When the special permission transfer student completes the terminal grade of an elementary or middle school magnet program, the student will attend

the respective subsequent middle or high school serving his/her area of residence, unless the student is accepted into a magnet program.

e. Elementary Programs

- (1) The parent/guardian of any eligible applicant may apply to up to three (3) magnet programs.
- (2) **Kindergarten Sibling Priority Placement:** A parent/guardian applying to an elementary magnet program on behalf of a **kindergarten** applicant who has a sibling who is currently attending that magnet program and when such sibling will continue to attend that magnet program the subsequent school year will be offered kindergarten placement in the magnet program prior to any lottery process. The application for kindergarten must be received within the regular application period in order to receive sibling priority placement
- (3) In order to receive consideration, the applicant's parent/guardian will submit, by the application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. **PARENTS/GUARDIANS WISHING TO CHANGE SCHOOL/PROGRAM SELECTIONS MUST, BY THE APPLICATION DEADLINE, SUBMIT A NEW APPLICATION, POSTMARKED OR HAND DELIVERED TO THE DESIGNATED CENTRAL OFFICE. NO PROGRAM SELECTION CHANGES ARE ACCEPTED AFTER THE ESTABLISHED APPLICATION DEADLINE.**
- (4) If there are fewer eligible applicants than seats available for any elementary magnet program, the designated central office will admit all eligible applicants to fill the available seats. If there are more eligible applicants than seats available for an elementary magnet program, the designated central office will first apply the **kindergarten sibling priority placement** process followed by a random lottery selection process to fill the available seats.
- (5) After the lottery selection process, the designated central office will inform the schools' administration of the students selected and will notify the parent/guardian of all students in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office of acceptance by the

designated response deadline. Failure to meet the response deadline will result in forfeiture of the seat.

f. Secondary Programs

- (1) The parent/guardian of any eligible applicant may apply to one (1) program per school in up to three (3) schools. In order to receive consideration, the applicant's parent/guardian will submit, by the designated application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. **PARENTS/GUARDIANS OF APPLICANTS WISHING TO CHANGE PROGRAM SELECTIONS MUST, BY THE APPLICATION DEADLINE, SUBMIT A NEW APPLICATION, POSTMARKED OR HAND DELIVERED TO THE DESIGNATED CENTRAL OFFICE. NO PROGRAM SELECTION CHANGES ARE ACCEPTED AFTER THE ESTABLISHED APPLICATION DEADLINE.** For Baltimore County Public School students, the designated central office will obtain a copy of current individualized education plans (IEP), Section 504 Plans, or English Language Learner (ELL) plans, to determine whether modifications and accommodations should be provided during any audition/assessment. For eligible applicants not attending the Baltimore County Public Schools at the time of application, the parent/guardian will submit appropriate documentation of educational modifications and accommodations with the application.
- (2) All applications for secondary magnet programs will be reviewed at the designated central office to determine the eligibility of each applicant using the criteria approved by the Superintendent or Executive Director of Special Programs, PreK-12, in accordance with Section 2b of this rule. The designated central office will notify the parents/guardians of ineligible applicants in writing of the application status.
- (3) The designated central office, using criteria appropriate to the specific magnet program, in accordance with Section 2b of this rule, will screen applicants to determine the number of qualified applicants. If there are fewer qualified applicants than seats available for any secondary magnet program, the designated central office will admit all qualified applicants [to fill the available seats]. If there are more qualified applicants than seats available for a

secondary magnet program a random lottery selection process will be conducted to fill the available seats.

- (4) At the middle school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 10% of the seats may be filled first with qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.
- (5) At the high school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 20% of the seats may be filled first with qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.
- (6) After the random lottery selection process, the designated central office will inform the school's administration of the students selected and will inform the parent/guardian in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office by the designated response deadline of acceptance. Failure to meet the response deadline will result in forfeiture of the seat.

5. Waiting Lists

- a. A waiting list will be generated as a result of the random lottery selection process for each oversubscribed magnet program. The waiting list will be maintained by the designated central office until the first day of the second semester of the school year for which admission is being sought.
- b. The parent/guardian of elementary and secondary students on waiting lists who are offered assignments to a magnet program must accept the assignment within five (5) business days of the date of the offer of assignment. Failure to meet the response deadline will result in forfeiture of that seat.

6. New Residents

Parents/Guardians of students who are new residents of Baltimore County after the application deadline and before the start of the school year for which admission is being sought may submit to the designated central office a letter of interest for one (1) magnet program per school in up to three (3) schools. If space permits, new residents meeting the eligibility criteria for the program(s) in which they are interested will be selected in accordance with the procedures set forth in Sections 4.E.[1] and 4.F.[1] of this rule.

7. Withdrawals

- a. A student admitted to a magnet program, according to the procedures set forth in Section 4, items a-f of this rule, may remain in the program as long as the parent/guardian is a resident of Baltimore County, and the student has not been withdrawn to attend another school, public or private. If a family or student moves within Baltimore County but out of the magnet zoned attendance area, transportation will not be provided.
- b. Any request for temporary leave from a magnet program must be approved, in writing and in advance of such leave of absence, by the principal of the school. A leave of absence from the magnet program will be considered under the following conditions:
 - (1) A student may be granted a leave of absence for a maximum of one (1) year if the family and/or student moves out of Baltimore County temporarily.
 - (2) A student may be granted a leave of absence from the magnet program for the period of time necessary to complete any of the following: a stay as a patient in a hospital for an extended period of time; acceptance into a Board approved alternative education program or another exceptional education program; or enrollment in a licensed full-time substance abuse treatment program.
 - (3) A student may be granted a leave of absence from the magnet program for medical reasons for the period of time necessary to complete treatment and/or recovery from treatment. Requests which are based on medical, physical, or mental health reasons must be accompanied by documentation from a physician or mental health provider.

- c. Students who violate the provisions of [Board of Education] Policy 5550, Disruptive Behavior, or [Board of Education] Policy 5540, Alcoholic Beverages and Drugs, will be suspended and expelled in accordance with applicable [Board of Education] policies and [Superintendent's] rules. [When students who have been expelled are ready to return to their program of study, they may return to the magnet program from which they were expelled.] **AT THE END OF THE EXPULSION PERIOD, THE SUPERINTENDENT'S DESIGNEE, IN CONSULTATION WITH THE AREA OFFICE, MAY EITHER RETURN THE STUDENTS TO THE MAGNET PROGRAM FROM WHICH THEY WERE EXPELLED OR TO ANOTHER APPROPRIATE, NON-MAGNET SCHOOL OR PROGRAM.**
- d. Students in danger of failing any magnet course will receive written notification of their status in accordance with Section 6 of [Superintendent's] Rule 5220 entitled STUDENTS: Reporting to Parents. Counseling regarding the propriety of a student's continuation in magnet schools and programs will take place at the end of the school year.

Any decision by the principal to withdraw a student from a magnet program because of academic failure in a magnet course must be approved in advance by the Coordinator of Gifted & Talented Education and Magnet Programs or a designee. The principal will provide the student's parent(s)/guardian(s) with a written explanation of the basis for the withdrawal that includes the process for appealing the decision.

A student who is withdrawn from a magnet program housed in a comprehensive school will be required to attend the student's home school unless an application for Special Permission Transfer to another comprehensive school is filed by the parent/guardian and approved in accordance with [Board] Policy and [Superintendent's] Rule 5140.

- e. Parents/guardians may remove students from magnet schools and programs and return them to their home schools. Principals of the students' home schools will not deny the enrollment of such students.

[7.] **8. Appeals**

- a. Denials of admission to magnet program may be appealed by the parent/guardian and must be made in writing to the Executive Director of Special Programs, PreK-12, within ten (10) calendar days from the date of the notification letter or the postmarked date, whichever is later. An appeal

will be considered timely filed, if, within the allotted time period, it has been delivered to the Executive Director of Special Programs, PreK-12, postmarked, or deposited in the U.S. mail as registered or certified mail. Electronic submissions will not be accepted. The Executive Director of Special Programs, PreK-12, or a designee will evaluate the appeal and issue a written decision.

- b. If the appeal is denied by the Executive Director of Special Programs, PreK-12, or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal.=

APPEALS OF MAGNET ADMISSIONS DENIALS BY THE EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS, PREK-12, OR A DESIGNEE MUST BE MADE IN WRITING TO THE SUPERINTENDENT WITHIN FIFTEEN (15) CALENDAR DAYS OF THE DATE OF THE DENIAL LETTER FROM THE EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS, PREK-12, OR A DESIGNEE, OR THE POSTMARKED DATE, WHICHEVER IS LATER. AN APPEAL WILL BE CONSIDERED TIMELY FILED, IF, WITHIN THE ALLOTTED TIME PERIOD, IT HAS BEEN DELIVERED TO THE SUPERINTENDENT, OR POSTMARKED, OR DEPOSITED IN THE U.S. MAIL AS REGISTERED OR CERTIFIED MAIL. ELECTRONIC SUBMISSIONS WILL NOT BE ACCEPTED. THE SUPERINTENDENT OR HIS/HER DESIGNEE WILL RESEARCH AND EVALUATE THE APPEAL AND ISSUE A WRITTEN DECISION.

- c. If the appeal is denied by the Superintendent or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal in writing to the Board [of Education] within thirty (30) calendar days of the date of the denial letter in accordance with §4-205 of the Education Article of the *Annotated Code of Maryland* and [Board of Education] Policy 8339 – Internal Board Policies: Operations, Appeal Before Hearing Examiner. An appeal will be considered timely filed, if, within the allotted time period, it has been delivered to the Board [of Education], postmarked, or deposited in the U.S. Mail as registered or certified mail.

Legal references: Annotated Code of Maryland, Education Article, §4-205, §7-301COMAR 13A.08.01.02 Age for School Attendance

Related Policies: [Board of Education] Policy 6130, INSTRUCTION: Magnet Schools and Programs

POLICY 5110, STUDENTS: ENROLLMENT AND ATTENDANCE

[Board of Education] Policy 5140, STUDENTS: Enrollment and Attendance

[Board of Education] Policy 5150, STUDENTS: Enrollment and Attendance

POLICY 5220, STUDENTS: REPORTING TO PARENTS

Rule

Superintendent of Schools

Approved: 4/20/99

Revised: 1/23/01

Revised: 9/25/01

Revised: 8/10/04

Revised: 6/12/2007

REVISED:

INSTRUCTION: Magnet Schools and Programs

Magnet Schools Admission

1. [Definitions] DEFINITIONS

- a. “Child” - an individual not currently enrolled in Baltimore County Public Schools.
- b. “Eligible Applicant” – Any child or student who meets residency requirements for enrollment in the Baltimore County Public Schools and who either:
 - 1. Meets the age of entry requirement under Maryland law, or
 - 2. Applies concurrently for early admission to kindergarten and is granted early admission, in accordance with Policy 5110, by the 31st of January following the Magnet application deadline.
- c. “Guardian” - a court appointed guardian of a child or of a student.
- d. “Magnet Programs” – Those programs, established at the recommendation of the Superintendent and with the approval of the Board [of Education], with a specialized curriculum or those with an emphasis on instruction that is different from that generally offered in other schools throughout the school system. Magnet programs can be total-school or school-within-a-school programs.
- e. “New Residents” – A child domiciled with the parent/guardian in Baltimore County after the application deadline and documented in accordance with Rule 5150.
- f. “Qualified Applicant” – Any child or student who **APPLIES TO** and meets the **ESTABLISHED** criteria for admission **TO A SPECIFIC MAGNET PROGRAM**. [established in accordance with Section 2b of this Rule.]
- g. “Sibling” – A brother, sister, half-brother, half-sister, stepbrother, stepsister, or foster child living in the same household.
- h. “Student” – An individual currently enrolled in the Baltimore County Public Schools.

2. Access to Magnet Schools and Programs

- a. To promote equal educational opportunities for all students, it is the goal of the school system to provide all interested students with a fair opportunity for access to magnet schools and programs. To carry out this goal, the Superintendent directs central office staff to assist each magnet program in developing equitable recruitment strategies and to recruit a pool of applicants which reflects the diversity of the school system as a whole.
- b. At the elementary level, the school system will not employ any academic or other admissions criteria for determining whether a child or student is eligible for a magnet program. For secondary magnet programs that have academic or other admissions criteria, each year the Superintendent or the Executive Director of Special Programs, PreK-12, will review and approve those criteria to determine that they are educationally related to the specialized curriculum or instructional strategy.
- c. Where school-within-a-school magnet programs exist, the principal will promote interaction, for as much of the school day as possible, between those students participating in the magnet program and those students who do not. The parent/guardian of a child or student residing in the attendance area of a school housing a magnet program also may apply on behalf of the child or student for admission to the program under the procedures set forth in Section 4e or 4f of this rule.

3. Transportation

- a. The school system will provide transportation to students who reside in the attendance area of a magnet program in accordance with the standards established by the Department of Transportation, as set forth in [Board of Education] Policy 3410.
- b. Transportation to secondary school magnet programs will be provided from [community] pick-up points located **AT DESIGNATED SCHOOL SITES** in each of the five geographic areas.

4. Admissions

- a. The Superintendent or the Executive Director of Special Programs, PreK-12, together with a representative of each magnet program, annually will designate the number of available seats by grade for each magnet program for the following school year.

- b. Each year, the Superintendent or Executive Director of Special Programs, PreK-12, will assess the extent to which each magnet program’s enrollment reflects the diversity of the school system as a whole. Based on this analysis, the Superintendent or Executive Director of Special Programs, PreK-12, may set recruitment goals for groups that are underrepresented in magnet programs. “Recruitment” may include efforts such as targeted mailings, but will not create any priority or preference for admission.
- c. The Superintendent or Executive Director of Special Programs, PreK-12, will make magnet applications and brochures available at all schools, at the central office, and on the Baltimore County Public School’s W[w]eb site. Magnet applications and brochures will be distributed to the parents/guardians of students currently attending pre-kindergarten and the fifth and eighth grades in the Baltimore County Public Schools.
- d. The parent/guardian of a child or student who received and has accepted an offer of admission into a magnet program outside of the [magnet] zoned attendance area must apply for a special permission transfer in accordance with the provisions of Section **III.B.2.** [II.C.2.] or Section **III.B.8** [II.C.8.] of [Superintendent’s] Rule 5140 entitled STUDENTS: Enrollment and Attendance. A parent/guardian must complete the “Application for Special Transfer” **AND “CONTRACT FOR SPECIAL TRANSFER STUDENTS”** [form] **FORMS** and submit [it] **THE FORMS** in accordance with directions provided when admission is offered. The school principal will consider the special permission transfer in accordance with the procedures set forth in [Superintendent’s] Rule 5140. Students approved for a special transfer under the provisions of Section **III.B.2.** [II.C.2.] or Section **III.B.8** [II.C.8.] of [Superintendent’s] Rule 5140 are required to qualify for magnet programs according to the approved program criteria and will be selected according to the procedures set forth in Sections 4e and 4f of [Superintendent’s] **THIS RULE** [Rule 6130]. Parents/guardians of special permission transfer students are responsible for providing transportation to and from the magnet program **UNLESS THE STUDENT CAN BE ACCOMMODATED BY THE EXISTING BUS ROUTES AND EXISTING BUS STOPS OF THAT MAGNET PROGRAM. IN SUCH INSTANCES, THE PARENTS/GUARDIANS ARE RESPONSIBLE FOR PROVIDING TRANSPORTATION TO AND FROM THE EXISTING BUS STOP.**

When the special permission transfer student completes the terminal grade of an elementary or middle school magnet program, the student will attend

the respective subsequent middle or high school serving his/her area of residence, unless the student is accepted into a magnet program.

e. Elementary Programs

- (1) The parent/guardian of any eligible applicant may apply to up to three (3) magnet programs.
- (2) **Kindergarten Sibling Priority Placement:** A parent/guardian applying to an elementary magnet program on behalf of a **kindergarten** applicant who has a sibling who is currently attending that magnet program and when such sibling will continue to attend that magnet program the subsequent school year will be offered kindergarten placement in the magnet program prior to any lottery process. The application for kindergarten must be received within the regular application period in order to receive sibling priority placement
- (3) In order to receive consideration, the applicant's parent/guardian will submit, by the application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. **PARENTS/GUARDIANS WISHING TO CHANGE SCHOOL/PROGRAM SELECTIONS MUST, BY THE APPLICATION DEADLINE, SUBMIT A NEW APPLICATION, POSTMARKED OR HAND DELIVERED TO THE DESIGNATED CENTRAL OFFICE. NO PROGRAM SELECTION CHANGES ARE ACCEPTED AFTER THE ESTABLISHED APPLICATION DEADLINE.**
- (4) If there are fewer eligible applicants than seats available for any elementary magnet program, the designated central office will admit all eligible applicants to fill the available seats. If there are more eligible applicants than seats available for an elementary magnet program, the designated central office will first apply the **kindergarten** sibling priority placement process followed by a random lottery selection process to fill the available seats.
- (5) After the lottery selection process, the designated central office will inform the schools' administration of the students selected and will notify the parent/guardian of all students in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office of acceptance by the

designated response deadline. Failure to meet the response deadline will result in forfeiture of the seat.

f. Secondary Programs

- (1) The parent/guardian of any eligible applicant may apply to one (1) program per school in up to three (3) schools. In order to receive consideration, the applicant's parent/guardian will submit, by the designated application deadline, a complete application for the upcoming school year, postmarked or hand delivered to the designated central office. **PARENTS/GUARDIANS OF APPLICANTS WISHING TO CHANGE PROGRAM SELECTIONS MUST, BY THE APPLICATION DEADLINE, SUBMIT A NEW APPLICATION, POSTMARKED OR HAND DELIVERED TO THE DESIGNATED CENTRAL OFFICE. NO PROGRAM SELECTION CHANGES ARE ACCEPTED AFTER THE ESTABLISHED APPLICATION DEADLINE.** For Baltimore County Public School students, the designated central office will obtain a copy of current individualized education plans (IEP), Section 504 Plans, or English Language Learner (ELL) plans, to determine whether modifications and accommodations should be provided during any audition/assessment. For eligible applicants not attending the Baltimore County Public Schools at the time of application, the parent/guardian will submit appropriate documentation of educational modifications and accommodations with the application.
- (2) All applications for secondary magnet programs will be reviewed at the designated central office to determine the eligibility of each applicant using the criteria approved by the Superintendent or Executive Director of Special Programs, PreK-12, in accordance with Section 2b of this rule. The designated central office will notify the parents/guardians of ineligible applicants in writing of the application status.
- (3) The designated central office, using criteria appropriate to the specific magnet program, in accordance with Section 2b of this rule, will screen applicants to determine the number of qualified applicants. If there are fewer qualified applicants than seats available for any secondary magnet program, the designated central office will admit all qualified applicants [to fill the available seats]. If there are more qualified applicants than seats available for a

secondary magnet program a random lottery selection process will be conducted to fill the available seats.

- (4) At the middle school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 10% of the seats may be filled first with qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.
- (5) At the high school level where the number of qualified applicants exceeds the number of available seats for any magnet program, up to 20% of the seats may be filled first with qualified applicants who show exceptional commitment and promise in the specialized program as evidenced by their performance on the approved magnet assessment. The remaining seats will be filled using the centralized random lottery selection process from the remaining pool of qualified applicants.
- (6) After the random lottery selection process, the designated central office will inform the school's administration of the students selected and will inform the parent/guardian in writing of the admission status. The parent/guardian of a child or student offered admission will inform the designated central office by the designated response deadline of acceptance. Failure to meet the response deadline will result in forfeiture of the seat.

5. Waiting Lists

- a. A waiting list will be generated as a result of the random lottery selection process for each oversubscribed magnet program. The waiting list will be maintained by the designated central office until the first day of the second semester of the school year for which admission is being sought.
- b. The parent/guardian of elementary and secondary students on waiting lists who are offered assignments to a magnet program must accept the assignment within five (5) business days of the date of the offer of assignment. Failure to meet the response deadline will result in forfeiture of that seat.

6. New Residents

Parents/Guardians of students who are new residents of Baltimore County after the application deadline and before the start of the school year for which admission is being sought may submit to the designated central office a letter of interest for one (1) magnet program per school in up to three (3) schools. If space permits, new residents meeting the eligibility criteria for the program(s) in which they are interested will be selected in accordance with the procedures set forth in Sections 4.E.[1] and 4.F.[1] of this rule.

7. Withdrawals

a. A student admitted to a magnet program, according to the procedures set forth in Section 4, items a-f of this rule, may remain in the program as long as the parent/guardian is a resident of Baltimore County, and the student has not been withdrawn to attend another school, public or private. If a family or student moves within Baltimore County but out of the magnet zoned attendance area, transportation will not be provided.

b. Any request for temporary leave from a magnet program must be approved, in writing and in advance of such leave of absence, by the principal of the school. A leave of absence from the magnet program will be considered under the following conditions:

(1) A student may be granted a leave of absence for a maximum of one (1) year if the family and/or student moves out of Baltimore County temporarily.

(2) A student may be granted a leave of absence from the magnet program for the period of time necessary to complete any of the following: a stay as a patient in a hospital for an extended period of time; acceptance into a Board approved alternative education program or another exceptional education program; or enrollment in a licensed full-time substance abuse treatment program.

(3) A student may be granted a leave of absence from the magnet program for medical reasons for the period of time necessary to complete treatment and/or recovery from treatment. Requests which are based on medical, physical, or mental health reasons must be accompanied by documentation from a physician or mental health provider.

- c. Students who violate the provisions of [Board of Education] Policy 5550, Disruptive Behavior, or [Board of Education] Policy 5540, Alcoholic Beverages and Drugs, will be suspended and expelled in accordance with applicable [Board of Education] policies and [Superintendent's] rules. [When students who have been expelled are ready to return to their program of study, they may return to the magnet program from which they were expelled.] **AT THE END OF THE EXPULSION PERIOD, THE SUPERINTENDENT'S DESIGNEE, IN CONSULTATION WITH THE AREA OFFICE, MAY EITHER RETURN THE STUDENTS TO THE MAGNET PROGRAM FROM WHICH THEY WERE EXPELLED OR TO ANOTHER APPROPRIATE, NON-MAGNET SCHOOL OR PROGRAM.**
- d. Students in danger of failing any magnet course will receive written notification of their status in accordance with Section 6 of [Superintendent's] Rule 5220 entitled STUDENTS: Reporting to Parents. Counseling regarding the propriety of a student's continuation in magnet schools and programs will take place at the end of the school year.

Any decision by the principal to withdraw a student from a magnet program because of academic failure in a magnet course must be approved in advance by the Coordinator of Gifted & Talented Education and Magnet Programs or a designee. The principal will provide the student's parent(s)/guardian(s) with a written explanation of the basis for the withdrawal that includes the process for appealing the decision.

A student who is withdrawn from a magnet program housed in a comprehensive school will be required to attend the student's home school unless an application for Special Permission Transfer to another comprehensive school is filed by the parent/guardian and approved in accordance with [Board] Policy and [Superintendent's] Rule 5140.

- e. Parents/guardians may remove students from magnet schools and programs and return them to their home schools. Principals of the students' home schools will not deny the enrollment of such students.

[7.] **8. Appeals**

- a. Denials of admission to magnet program may be appealed by the parent/guardian and must be made in writing to the Executive Director of Special Programs, PreK-12, within ten (10) calendar days from the date of the notification letter or the postmarked date, whichever is later. An appeal

will be considered timely filed, if, within the allotted time period, it has been delivered to the Executive Director of Special Programs, PreK-12, postmarked, or deposited in the U.S. mail as registered or certified mail. Electronic submissions will not be accepted. The Executive Director of Special Programs, PreK-12, or a designee will evaluate the appeal and issue a written decision.

- b. If the appeal is denied by the Executive Director of Special Programs, PreK-12, or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal.

APPEALS OF MAGNET ADMISSIONS DENIALS BY THE EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS, PREK-12, OR A DESIGNEE MUST BE MADE IN WRITING TO THE SUPERINTENDENT WITHIN FIFTEEN (15) CALENDAR DAYS OF THE DATE OF THE DENIAL LETTER FROM THE EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS, PREK-12, OR A DESIGNEE, OR THE POSTMARKED DATE, WHICHEVER IS LATER. AN APPEAL WILL BE CONSIDERED TIMELY FILED, IF, WITHIN THE ALLOTTED TIME PERIOD, IT HAS BEEN DELIVERED TO THE SUPERINTENDENT, OR POSTMARKED, OR DEPOSITED IN THE U.S. MAIL AS REGISTERED OR CERTIFIED MAIL. ELECTRONIC SUBMISSIONS WILL NOT BE ACCEPTED. THE SUPERINTENDENT OR HIS/HER DESIGNEE WILL RESEARCH AND EVALUATE THE APPEAL AND ISSUE A WRITTEN DECISION.

- c. If the appeal is denied by the Superintendent or a designee, the written decision will inform the parent(s)/guardian(s) of the right to appeal in writing to the Board [of Education] within thirty (30) calendar days of the date of the denial letter in accordance with §4-205 of the Education Article of the *Annotated Code of Maryland* and [Board of Education] Policy 8339 – Internal Board Policies: Operations, Appeal Before Hearing Examiner. An appeal will be considered timely filed, if, within the allotted time period, it has been delivered to the Board [of Education], postmarked, or deposited in the U.S. Mail as registered or certified mail.

Legal references: Annotated Code of Maryland, Education Article, §4-205, §7-301COMAR 13A.08.01.02 Age for School Attendance

Related Policies: [Board of Education] Policy 6130, INSTRUCTION: Magnet Schools and Programs

POLICY 5110, STUDENTS: ENROLLMENT AND ATTENDANCE

[Board of Education] Policy 5140, STUDENTS: Enrollment and Attendance

[Board of Education] Policy 5150, STUDENTS: Enrollment and Attendance

POLICY 5220, STUDENTS: REPORTING TO PARENTS

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