

TENTATIVE, SUBJECT TO CHANGE

MEETING OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

OPEN SESSION

Tuesday, September 6, 2011
5:00 P.M.-Closed Session, 7:00 P.M.-Open Session
Eastern Technical High School

I. PLEDGE OF ALLEGIANCE

II. SILENT MEDITATION IN REMEMBRANCE

III. AGENDA

Consideration of the agenda for September 6, 2011

IV. MINUTES

Consideration of the Open and Closed Minutes of August 9, 2011

Exhibit A

V. SELECTION OF SPEAKERS

VI. ADVISORY AND STAKEHOLDER GROUPS

VII. GENERAL PUBLIC COMMENT

VIII. SUPERINTENDENT'S REPORT

IX. PRESIDENT'S REPORT

X. SPECIAL ORDER OF BUSINESS - Thirteen Baltimore County high schools named among nation's top 7% by the *Washington Post* magazine

XI. SPECIAL ORDER OF BUSINESS – Recognizing September as PTA Membership Month

XII. RECOGNITION OF ADMINISTRATIVE APPOINTMENTS FROM AUGUST 9, 2011

XIII. OLD BUSINESS

- A. Consideration of the following Board of Education Policies (third reading): (Mr. Coleman)
- Proposed Changes to Policy 1100 – COMMUNITY RELATIONS: Communications with the Public-Communications Exhibit B
 - Proposed Changes to Policy 2342 – ADMINISTRATION: Administrative Operations-Teacher Attendance at Parent-Teacher (Student) Association Meetings Exhibit C
 - Proposed Deletion of Policy 2363 – ADMINISTRATION: Administrative Operations – General: Employee Suggestion Program Exhibit D
 - Proposed Deletion of Policy 4124/Policy 4503 – PERSONNEL: Professional-Temporary and Part-time: Alternative Programs Instructors Exhibit E
 - Proposed Deletion of Policy 4142/Policy 4208 – PERSONNEL: Professional-Compensation and Related Employee Benefits: Salary Regulations-School Nurses Exhibit F
 - Proposed Changes to Policy 4240 (renumber to Policy 4402) – PERSONNEL: Classified-Termination of Employment Exhibit G
 - Proposed Deletion of Policy 4264/Policy 4406 – PERSONNEL: Classified-Compensation Plan: Educational Assistance Programs Exhibit H
 - Proposed Changes to Policy 5530 – STUDENTS: Conduct-Student Use and Possession of Tobacco Exhibit I
 - Proposed Changes to Policy 6602 – INSTRUCTION: Curriculum Extension and Alternative Programs-Alternative Education Programs Exhibit J
 - Proposed Changes to Policy 8339 (new Policy 8341) – INTERNAL BOARD POLICIES: Operations-Appeal Before a Hearing Examiner Exhibit K
 - Proposed Changes to Policy 8340 – INTERNAL BOARD POLICIES: Operation-Appeal Before the Board of Education Exhibit L
- B. Consideration of the Proposed FY 2013 State Capital Budget Request (Ms. Burnopp)
Exhibit M

XIV. NEW BUSINESS

- A. Consideration of consent to the following personnel matters: (Dr. Peccia)
1. Retirements Exhibit N
 2. Resignations Exhibit O
 3. Leaves of Absence Exhibit P
 4. Ethics Review Panel Appointments Exhibit Q
 5. Administrative Appointments Exhibit R
- B. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-34 (Andrew Nussbaum, Esq.)
- C. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-38 (Andrew Nussbaum, Esq.)
- D. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-40 (Andrew Nussbaum, Esq.)
- E. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-43 (Andrew Nussbaum, Esq.)
- F. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-48 (Andrew Nussbaum, Esq.)
- G. Consideration of Hearing Officer's Opinion in Case Number H.E. 11-52 (Andrew Nussbaum, Esq.)
- H. Consideration of consent to the following contract awards: (Mr. Gay/Mr. Sines) Exhibit S
1. Contract Assignment: Printing and Reproduction Services
 2. Contract Extension: AVID-based Schools' Tutoring Program
 3. Contract Extension: Curriculum for Environmental and Character Development Education
 4. Contract Extension: Project SEED
 5. Contract Extension: U.S. Hispanic Youth Entrepreneur Education (USHYEE) – Memorandum of Understanding
 6. Cohort – School Library Media XIV, Instructional Technology
 7. Electricity Acquiring Agent
 8. Employee Benefits' Consultant
 9. Information Technology Contracted Staffing Services
 10. Pixie Software Licenses

XIV. NEW BUSINESS (cont)

11. STEM Alliance Development
12. Contract Modification: Flooring Replacement – Hebbville Elementary School
13. Replacement of Boilers – Cockeysville Service Center
14. Replacement of Windows, Blinds, and Doors – Lutherville Laboratory Elementary School

XV. INFORMATION

- A. Revised Superintendent’s Rule 1100 – COMMUNITY RELATIONS: Communications with the Public-Communications Exhibit T
- B. Deletion of Superintendent’s Rule 2342 – ADMINISTRATION: School Operations-Teacher Attendance at PTA Meetings Exhibit U
- C. Deletion of Superintendent’s Rule 2363 – ADMINISTRATION: Administrative Operations – General: Employee Suggestion Program Exhibit V
- D. Deletion of Superintendent’s Rule 4124/Rule 4503 – PERSONNEL: Professional-Temporary and Part-time: Alternative Programs Instructors Exhibit W
- E. Deletion of Superintendent’s Rule 4142/Rule 4208 – PERSONNEL: Professional-Compensation and Related Employee Benefits: Salary Regulations-School Nurses Exhibit X
- F. Deletion of Superintendent’s Rule 4148/4210 – PERSONNEL: Professional-Compensation and Related Employee Benefits: Tuition Reimbursement Exhibit Y
- G. Revised Superintendent’s Rule 4240/Rule 4402 – PERSONNEL: Classified-Termination of Employment Exhibit Z
- H. Revised Superintendent’s Rule 5530 – STUDENTS: Conduct-Student Use and Possession of Tobacco Exhibit AA

XVI. ANNOUNCEMENTS

Next Board Meeting Tuesday, September 20, 2011
6:30 PM Greenwood

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

Tuesday, August 9, 2011

The Board of Education of Baltimore County met in closed session at 4:45 p.m. at Greenwood. Vice President Valerie A. Roddy and the following Board members were present: Mr. James E. Coleman, Mr. Michael J. Collins, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Mr. David Uhlfelder, and Mr. Logan McNaney. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Ms. Roddy reminded Board members of community functions and Board of Education events scheduled in August and September.

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1), (a)(7),(a)(8), and (a)(10) and upon motion of Mr. Uhlfelder, seconded by Mr. Parker, the Board commenced its closed session at 4:48 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 4:48 p.m. at Greenwood. Vice President Valerie A. Roddy and the following Board members were present: Mr. James E. Coleman, Mr. Michael J. Collins, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Mr. David Uhlfelder, and Mr. Logan McNaney. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and the following staff members were present: Dr. Renee A. Foose, Deputy Superintendent; Ms. Michele O. Prumo, Chief of Staff; Ms. Karen Blannard, Assistant Superintendent, Elementary Schools; Ms. Patricia Lawton, Assistant Superintendent, Elementary Schools; Ms. Barbara Walker, Assistant Superintendent, High Schools; Dr. Alpheus Arrington, Director, Human Resources; Mr. George Duque, Manager, Staff Relations; Mr. Dale R. Rauenzahn, Executive Director, Student Support Services; Margaret-Ann F. Howie, Esquire, General Counsel; Andrew W. Nussbaum, Esquire, Counsel to the Board of Education; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Mr. Duque discussed with Board members matters relating to negotiations to be considered on the evening's agenda.

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

Mr. Nussbaum provided legal advice to the Board regarding the hearing officer's opinion to be considered that evening.

CLOSED SESSION MINUTES (cont)

Ms. Howie discussed with Board members litigation regarding a vendor and alternative purchasing practices. Ms. Howie also discussed with Board members the result of litigation concerning the Maryland State Department of Health and Mental Hygiene and the Maryland State Department of Education.

On motion of Mr. Parker, seconded by Mr. Coleman, the Board adjourned its closed session at 5:08 p.m. Staff exited the room with the exception of Ms. Howie.

ADMINISTRATIVE FUNCTION

At 5:09 p.m., Board members discussed adding two items to the evening's agenda.

At 5:19 p.m., the Board adjourned from administrative session for a brief dinner recess.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:00 p.m. at Greenwood. Vice President Valerie A. Roddy and the following Board members were present: Cornelia Bright Gordon, Esquire, Mr. James E. Coleman, Mr. Michael J. Collins, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Mr. David Uhlfelder, and Mr. Logan McNaney. 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 Ellie Buckheit, a student at Gunpowder Elementary School, and Alex Buckheit, a student at Perry Hall Middle School, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Dr. Hairston requested adding the following items to tonight's agenda

- Item XIII, Information – Revised Superintendent's Rule 5140, STUDENTS: Enrollment and Attendance; and
- Item XIII, Information – Revised Superintendent's Rule 5150, STUDENTS: Resident and Nonresident Students.

Pursuant to Board Policy 8314, additions to the agenda were unanimously approved by those Board members present (favor-9).

Hearing no additions or corrections to the Open and Closed Minutes of July 12, 2011, Ms. Roddy declared the minutes approved as presented on the Web site.

Ms. Roddy 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. Roddy 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

Ms. Abby Beytin, President of the Teachers Association of Baltimore County (TABCO), stated that TABCO wants to be “at the table” so that their members’ expertise is at the forefront. She stated that teachers want time to implement new programs and that staff development is needed for teachers to do their best work. Ms. Beytin stated that TABCO has been working with the administration to plan and implement a teacher evaluation system that will be piloted over the next two years.

Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, thanked the Board for referring Policy 1300 back to the Policy Review Committee. She asked each Board member to connect to his/her respective communities by joining at least one local PTA this school year. Ms. Ostrow announced that the Council would be hosting the annual Fall Reception and Workshops on October 20, 2011, at New Town High School.

Mr. John Desmone, Executive Director of the Council of Administrative and Supervisory Employees (CASE), thanked the Board for including CASE in the conversation regarding the principal evaluation instrument. He stated that the school system only has a few months remaining to resolve the unit composition issues noted in legislation passed this past spring and that the administration is working with CASE.

SUPERINTENDENT’S REPORT

There was no Superintendent’s report for this evening.

PRESIDENT’S REPORT

Ms. Roddy stated that the Board is continually questioned about many areas of our educational system. These questions come from public testimony, direct inquires to Board members, public hearings on capital and operating budgets, and area advisory councils. Some are specific to individual schools, while others involve the entire system. Ms. Roddy reported on the following topics:

- **Stoneleigh Elementary School** – The Board of Education recognizes the capacity needs at Stoneleigh Elementary. Stoneleigh continues to be a priority in the Capital Improvement Program. The proposed FY2013 state capital budget is on the agenda to tonight’s meeting. The proposed capital budget will be discussed in further detail at the August 23, 2011, Board work session.
- **Policy 1300** – The Board of Education is very aware of the public’s concerns regarding use of school system facilities. At the July 12, 2011, meeting the Board sent Policy 1300 back to the Policy Review Committee. A revised Policy 1300 is on the agenda for this evening’s meeting.

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the administrative appointments from the July 12, 2011, Board meeting.

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>JOHN L. BILLINGSLEA</u> (Effective July 13, 2011)	Teacher/Social Studies Franklin High School	Assistant Principal Dulaney High School
<u>ROBYN M. BUCKHEIT</u> (Effective July 13, 2011)	Teacher/Instructional Support Shady Spring Elementary School	Assistant Principal Shady Spring Elementary School
<u>NATHAN D. DAVIS</u> (Effective July 13, 2011)	Teacher/Science Middle River Middle School	Assistant Principal Pine Grove Middle School
<u>THOMAS V. DUGAS, JR.</u> (Effective July 13, 2011)	Supervisor Holly Poultry, Inc. Baltimore, MD	Assistant Principal Dulaney High School
<u>MARY E. FREY</u> (Effective July 13, 2011)	Teacher/English Ridgely Middle School	Assistant Principal Ridgely Middle School

RECOGNITION OF ADMINISTRATIVE APPOINTMENTS (cont)

<u>NAME</u>	<u>FROM</u>	<u>TO</u>
<u>R. MARK HARRIS</u> (Effective July 13, 2011)	Senior Vice President/ Consultant Human Capital Strategies Imagine School Maryland Region	Principal Imagine Discovery Public Charter School
<u>GERALD B. MORAGNE EL</u> (Effective July 13, 2011)	Last Employment Principal Knox Middle School Salisbury School District Salisbury, NC	Assistant Principal Parkville High School
<u>LORI A. O'CONNOR</u> (Effective July 13, 2011)	Instructional Coach/Title I Battle Grove Elementary School	Assistant Principal Battle Grove Elementary School
<u>DANIEL A. PIZZO</u> (Effective July 13, 2011)	Specialist Research, Accountability, and Assessment	Assistant Principal Seventh District Elementary School
<u>MEREDETH H. ROLKA</u> (Effective July 13, 2011)	Teacher/Social Studies Lansdowne Middle School	Assistant Principal Lansdowne Middle School
<u>WRAE WENE</u> (Effective July 13, 2011)	Teacher/Art Deer Park Middle Magnet School	Assistant Principal Deep Creek Middle School
<u>HEATHER R.C. WOOLDRIDGE</u> (Effective July 13, 2011)	Teacher/COP Dundalk High School	Assistant Principal Patapsco High School and Center for the Arts

RECOGNITION OF ETHICS REVIEW PANEL

Dr. Peccia recognized Ms. Theresa E. Barrett as a new member of the Ethics Review Panel.

OLD BUSINESS

Board of Education Policies

The Board Policy Committee, represented by Mr. Coleman, recommended approval of the proposed revisions to Policy 1300.

Dr. Hairston stated that there appears to be a concern regarding a section of the Superintendent's Rule 1300 which includes the following statement: "A reasonable admission fee may be charged by the sponsoring entity and shall be based upon expenses reasonably expected to be sustained as a result of use." The Superintendent is advising staff to simplify the statement to read: "An admission fee or other fee may be charged by the sponsoring entity." Therefore, staff will not be involved in determining what "reasonable" cost entails, and the sponsoring entity will be able to charge any amount for its event.

On motion of Mr. Parker, seconded by Mr. McNaney, the Board approved the following proposed policy:

- Proposed Changes to Policy 1300 – COMMUNITY RELATIONS: Use of School Facilities

PERSONNEL MATTERS

On motion of Mr. Uhlfelder, seconded by Mr. Parker, the Board approved the personnel matters as presented on exhibits C, D, E, F, G, and H (Copies of the exhibits are attached to the formal minutes).

NEGOTIATING TEAMS FOR 2011-2012

On motion of Ms. Johnson, seconded by Mr. Coleman, the Board approved the proposed negotiating teams as presented on exhibit I (favor-8). (A copy of the exhibit is attached to the formal minutes). The student representative, Mr. McNaney, did not vote on this item.

HEARING EXAMINER'S RECOMMENDATIONS

On a motion of Mr. Uhlfelder, seconded by Mr. Parker, the Board voted that the hearing examiner's opinion in case #09-05 be affirmed (favor-8). The student representative, Mr. McNaney, did not vote on this item.

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Ms. Roddy, recommended approval of items 1-14 (exhibit J). Ms. Roddy stated that there was an error on contract item #8 (MBU-502-12). The term should be for seven months instead of six months, and the award value should be \$320,850 instead of \$700,000. Contract item #11 (JMI-631-06), "Current approved modification amount" should read \$459,858, and the "New Estimates Total Contract Value" should read \$3,792,013.

The Board approved these recommendations.

1. JMI-625-08 Contract Modification: Building Renovations - Alterations
2. MBU-525-11 Contract Modification: Food Products
3. JMI-601-08 Contract Modification: Instructional Materials
4. MWE-808-10 Contract Modification: Roof Repair Services
5. MWE-806-12 Bottled Water and Coolers
6. RGA-945-12 Cohort – Instructional Technology Masters Cohort 10
7. RGA-946-12 Cohort – Post-Baccalaureate Certificate in Arts Integration
8. MBU-502-12 Fire Extinguisher Maintenance for Kitchens
9. JNI-770-12 Influenza Vaccine
10. MBU-504-11 Web-Based School Lunch and Activities Payment Service
11. JMI-631-06 Contract Modification: Design-Build Video Surveillance and Electronic Card Access Control Systems
12. JNI-772-10 Contract Extension: On-Call Architectural Services – Various Schools
13. JNI-770-10 Contract Extension: On-Call Civil/Structural Engineering Services – Various Schools
14. JNI-769-10 Contract Extension: On-Call Mechanical/Electrical Engineering Services – Various Schools

INSTALLATION OF LIGHTED FLAGPOLE

Ms. Karen Blannard, Assistant Superintendent, Elementary Zone 1, reported that Carney Elementary School is seeking approval of a lighted flagpole. The Carney Community Veterans Organization serves as a partner in the enrichment and achievement of students. The Organization would like to donate a lighted flagpole to be installed at Carney Elementary School. Their donation will cover the cost of installation of the flagpole. Utility costs associated with maintaining a lighted pole will be paid by Baltimore County Public Schools (BCPS).

INSTALLATION OF LIGHTED FLAGPOLE (cont)

Community members have expressed a desire to have an additional flagpole on school grounds. Flagpole and lighting will instill patriotic spirit and national pride for community members and students. Lighted flagpole would be installed alongside a pre-existing memorial on school grounds in front of the school near Joppa Road. There is no anticipated impact on traffic flow on Joppa Road or to traffic coming in and out of the school. The proposal has been discussed with the community at a meeting of the Carney Improvement Association.

On motion of Mr. Parker, seconded by Mr. McNaney, the Board unanimously approved the installation of a lighted flagpole at Carney Elementary School (favor-9).

CURRICULUM PROGRAMS

The Curriculum Committee, represented by Ms. Johnson, recommended approval of the following curricula:

- Social Studies for Grades 4 and 5
- Economics and Public Issues (EPI)
- Elementary Library Media
- Geometry Honors
- Chemistry for High School Gifted and Talented
- World Cultures for Grade 7

On motion of Mr. McNaney, seconded by Mr. Collins, the Board approved the above curricula as presented in exhibits L, M, N, O, P, and Q (favor-9).

CURRICULUM PILOTS

The Curriculum Committee, represented by Ms. Johnson, recommended approval of the following pilots for the 2011-2012 school year and pre-approved pilots:

- A Visual Arts Program for Children in Grades Pre K – 5
- A Visual Arts Program for Students in the Middle School Years, Grades 6-8
- Calculus
- Grade 6 G/T Mathematics
- High School Comprehensive Visual Arts Program
- High School Research
- Latin I – IV
- Magnet Visual Arts Multimedia Production
- Magnet Visual Arts Televideo: Broadcast & Film

CURRICULUM PILOTS (cont)

- Magnet Visual Arts Figure Sculpture
- Music for Life
- Pre-College Science
- Project Innovation (a new program developed by the STEM Office – Science, Technology, Engineering, and Mathematics)
- The Visual Arts Photography Program

On motion of Mr. Uhlfelder, seconded by Mr. McNaney, the Board approved pilots for 2011-2012 and the pre-approved pilots as presented in exhibit R (favor-9).

REPORTS

The Board received the following reports:

- A. **Report on the Proposed FY2013 State Capital Budget Request** – Ms. Barbara Burnopp, Chief Financial Officer, provided a brief overview of the proposed FY2013 capital budget request and the state budget process. The budget will be discussed in detail at the work session on Tuesday, August 23, 2011.
- B. **Report on Enrollment Capacity and Relief Strategies** – Ms. Kara Calder, Executive Director of Planning and Support Operations, and Mr. Ghassan Shah, Strategic Planning Administrator, reported on the relief strategies and details regarding enrollment and capacity challenges currently facing BCPS.

Mr. Shah reviewed the planning objectives and the importance of projection accuracy rate. Ms. Calder reviewed issues concerning the projected enrollment, which included:

- Increased enrollment anticipated over the next several years.
- Change to State Rated Capacity (SRC) formula changed thereby reducing the number of systemwide seats by 5,184.
- Implementation of full-day kindergarten in 2007, which reduced the number of elementary school seats.
- Insufficient number of seats, in the aggregate systemwide, at the elementary level by 2013-14. Even with a regional balancing of enrollment at the elementary level, the school system cannot address the capacity issues.
- Slight increase in middle and high school enrollment.
- Eight elementary schools exceeding the SRC located in the central and northwest areas of the county.

REPORTS (cont)

Ms. Calder reviewed various relief strategies at the elementary level, which included: alternative room use; relocatables; annexing; renovation; and new construction. Ms. Calder stated that regional/systemwide redistricting considerations have been evaluated; however, the capacity is not available. There are many needs across the county and funding is limited.

Mr. Uhlfelder asked whether Baltimore County was in competition with other counties in looking ahead for capital funds for construction, with Ms. Calder responding affirmatively. Mr. Uhlfelder stated that Baltimore County has a serious problem and that the state representatives need to be made aware of the issue.

INFORMATION

The Board received the following as information:

- A. Revised Superintendent's Rule 1300 – COMMUNITY RELATIONS: Use of School Facilities
- B. New Superintendent's Rule 5520 – STUDENTS: Elementary and Secondary-Conduct: Dress
- C. Master Plan Update
- D. *Blueprint for Progress* Update
- E. (Added) Revised Superintendent's Rule 5140 – STUDENTS: Enrollment and Attendance-Special Permission Transfer
- F. (Added) Revised Superintendent's Rule 5150 – STUDENTS: Enrollment and Attendance-Residents and Nonresident Students

ANNOUNCEMENTS

Ms. Roddy made the following announcements:

- The Board of Education of Baltimore County will be meeting to conduct a retreat on Saturday, August 13, 2011, beginning at 9:00 a.m., at Greenwood. The meeting is open to the public.

ANNOUNCEMENTS (cont)

- The Board of Education of Baltimore County will hold its next meeting on Tuesday, August 23, 2011, 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. The open session will reconvene at approximately 7:00 p.m. The public is welcome to all open sessions.

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 1100

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 2342

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

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 2363

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

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 4124

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

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 4142

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 4240

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

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 4264

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 5530

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 6602

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8339

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8340

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

GENERAL PUBLIC COMMENT

Dr. Bash Pharoan stated that the barrier added to the room is clearly separating the Board from the public. Dr. Pharoan commented that he would like the achievements of the Board placed on the walls in the board room.

GENERAL PUBLIC COMMENT (cont)

Mr. David Greene stated he came across a list entitled “Five ways that public servants can deflect anger and demonstrate accountability,” that reminded him of this Board. Mr. Greene also stated that he could not locate the schedule for when Board meetings are televised.

Ms. Juliet Fisher thanked the Board for listening to parents and the community by moving up the Stoneleigh Elementary School renovation and addition on the capital budget request.

Mr. Eric Rockel thanked the Board for examining and revising Policy 1300. He stated that Rule 1300 does clarify issues related to PTA and PTSA; however, he is less than satisfied with the issues relative to community groups. These issues include: threshold of 50 attendees is inappropriate; associations to provide proof of 501(c)3 status is overly bureaucratic; and the appeal deadline of ten days is too short of a window.

Ms. Leslie Weber thanked the Board for responding to community input by making major changes to Policy 1300, which are reflected in the revised Rule 1300 and the *Application of Use of School Facilities*. She asked that a schedule of fees and charges be posted on the Office of Operations Web page so users can better assess event costs.

Ms. Roddy recognized Councilman David Marks who thanked the Board for considering the renovation and addition at Stoneleigh Elementary School and the approved revisions to Policy 1300.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 8:15 p.m.

Respectfully submitted,

Joe A. Hairston
Secretary-Treasurer

/bls

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 1100, COMMUNICATIONS WITH THE PUBLIC**

ORIGINATOR: Dr. Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Phyllis Reese, Chief Communications Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes of Policy 1100. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 1100

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 1100
COMMUNICATIONS WITH THE PUBLIC**

Statement of Issues or Questions Addressed

Board of Education Policy 1100 has not been reviewed since 1997. Policy 1100 is the introductory policy to the 1100 Sub Series (Communication with the Public) and is intended to set the standard for all policies in the Sub Series. Staff is recommending that the policy be revised to: (1) clearly define the Board's philosophy of engaging parents, community members, and businesses in the educational process by increasing communication and disseminating information about the school system and student success; (2) transfer the detail on the policy's implementation to the Superintendent's Rule; and (3) revise the policy to address the Policy Review Committee's editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 1110, *Media, Public Relations, Events, Television, and Web Site*
2. Board of Education Policy 1200, *Community Involvement*
3. Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*
4. Board of Education Policy 1250, *Participation in the Local School by Community Members*
5. Board of Education Policy 1270, *Parent and Family Involvement*
6. Board of Education Policy 4006, *Telecommunications Access to Electronic Information, Services and Networks*

Legal Requirements

1. 20 U.S.C. §6301, *et seq.*, *No Child Left Behind Act of 2001*, as amended by Section 1118(a)(2) of the *Elementary and Secondary Education Act (ESEA)*

Similar Policies Adopted by Other Local School Systems

1. Carroll County Board of Education, Policy KC, *Parent/Family/Community Involvement*
2. Howard County Board of Education, Policy 10000, *Parent, Family, and Community Involvement*
3. Montgomery County Board of Education, Policy KBA, *Policy on Public Information*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading/Vote – September 6, 2011

COMMUNITY RELATIONS: Communications with the Public

Communications with the Public

I. PHILOSOPHY

THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) BELIEVES THAT ENGAGING PARENTS, COMMUNITY MEMBERS, AND BUSINESSES IN THE EDUCATIONAL PROCESS HAS A DIRECT LINK TO STUDENT SUCCESS. THE BOARD FURTHER BELIEVES THAT POSITIVE RELATIONSHIPS WITH PARENTS AND THE COMMUNITY ARE ACCOMPLISHED BY DISSEMINATING INFORMATION ABOUT THE SCHOOL SYSTEM, ITS SCHOOLS, AND STUDENT SUCCESSES. TO FURTHER ITS GOAL, THE BOARD [The Board of Education] supports NUMEROUS AND VARIED channels of communication between the school system, the citizenry of the county, and the global community.

II. IMPLEMENTATION

THE BOARD AUTHORIZES THE SUPERINTENDENT TO DEVELOP A RULE TO IMPLEMENT THIS POLICY.

[The Superintendent of Schools is responsible for all informational services and is encouraged to utilize all available media of communication to inform the public regarding the mission, goals, programs, achievements, and needs of the school system.

To help achieve the above goals, the Superintendent of Schools shall be provided with assistants whose major duties will include:

1. Preparation of informational materials including releases for newspapers, television, radio, electronic publications, and periodicals.
2. Maintenance of close liaison with representatives of the mass media to maximize coverage of school system activities.
3. Coordination of the standards and guidelines for the Baltimore County Public Schools' web site development and the personnel responsible for the management and distribution of school system publications via electronic networks.

4. Compliance with federal, state, and local laws pertaining to all forms of communication and information distribution emanating from the school system to the public.
5. Organization of speakers' bureaus to provide programs for PTA, governmental, and civic organizations.
6. Coordination of work with PTA and other groups who seek the betterment of the school system or the community in general.
7. Sponsorship of regular television and radio programs, the Baltimore County Public Schools' cable Education Channel, and the Baltimore County Public Schools' web site, to describe the programs and goals of the school system.
8. Assistance to principals in developing public relations in individual schools.
9. Assistance to central staff administrators in communicating with the community.]

LEGAL REFERENCES: 20 U.S.C. §6301, *ET SEQ., NO CHILD LEFT BEHIND ACT OF 2001*, AS AMENDED BY SECTION 1118(A)(2) OF THE *ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)*

RELATED POLICIES: BOARD OF EDUCATION POLICY 1110, *MEDIA, PUBLIC RELATIONS, EVENTS, TELEVISION AND WEB SITE*
BOARD OF EDUCATION POLICY 1200, *COMMUNITY INVOLVEMENT*
BOARD OF EDUCATION POLICY 1210, *RELATIONSHIP WITH PARENT-TEACHER (STUDENT) ASSOCIATIONS*
BOARD OF EDUCATION POLICY 1250, *PARTICIPATION IN THE LOCAL SCHOOL BY COMMUNITY MEMBERS*
BOARD OF EDUCATION POLICY 1270, *PARENT AND FAMILY INVOLVEMENT*
BOARD OF EDUCATION POLICY 4006, *TELECOMMUNICATIONS ACCESS TO ELECTRONIC INFORMATION, SERVICES AND NETWORKS*

POLICY 1100

Policy
Adopted: 10/09/69
Revised: 06/23/77
Revised: 06/09/97
REVISED: _____

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 2342, TEACHER ATTENDANCE AT PARENT-TEACHER (STUDENT) ASSOCIATION MEETINGS**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 2342. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 2342

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 2342
TEACHER ATTENDANCE AT PARENT-TEACHER (STUDENT) ASSOCIATION MEETINGS**

Statement of Issues or Questions Addressed

Board of Education Policy 2342 has not been reviewed since its adoption in 1981. Policy 2342 currently refers the reader to the “policy” on teacher attendance at PTA meetings in the Board’s Master Agreement with the Teachers Association of Baltimore County (TABCO). Staff is recommending that the policy be revised to: (1) define the Board’s philosophy statement by linking teacher attendance at PT(S)A meetings with the Board’s commitment to family and community involvement; (2) encourage teacher participation in their school’s PT(S)A meetings in order to promote the school system’s education program; (3) change all references to “PTA” to “PT(S)A” to align with current Board policies; and (4) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 1210, *Relationship with Parent-Teacher (Student) Associations*
2. Board of Education Policy 1250, *Participation in the Local School by Community Members*
3. Board of Education Policy 1270, *Parent and Family Involvement*

Legal Requirements

None

Similar Policies Adopted by Other Local School Systems

1. Dorchester County Board of Education, Policy 832.0, *School Community Relations: Parent-Teacher-Student Organizations*
2. Harford County Board of Education, Policy 10-0003-000, *Relationship with Parent-Teacher Associations*
3. Somerset County Board of Education, Policy 800-5, *Relations with Parent Organizations*
4. St. Mary’s County Board of Education, Policy KBE, *Relations with Parent Organizations*
5. Talbot County Board of Education, Policy 11.10, *Relations with Parent Organizations*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

Staff considered deletion of the policy; however, Article X, Section 10.7.10 of the TABCO Master Agreement provides that attendance at PTA meetings will be in accordance with established policy. Therefore, staff deemed it necessary to retain the policy and revise it accordingly.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading – September 6, 2011

ADMINISTRATION: Administrative Operations

[School Administration] Teacher Attendance at PARENT-TEACHER (STUDENT) ASSOCIATION [PTA] Meetings

I. PHILOSOPHY

- A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) RECOGNIZES THAT THE COMBINED INVOLVEMENT OF ITS TEACHERS, STUDENTS, AND PARENTS IN THE EDUCATIONAL PROCESS SUPPORTS STUDENT ACHIEVEMENT. THE BOARD FURTHER BELIEVES THAT ITS LOCAL PARENT-TEACHER (STUDENT) ASSOCIATIONS (PT(S)A) SUPPORT THE BOARD'S COMMITMENT TO FAMILY AND COMMUNITY INVOLVEMENT AND PROVIDE A VITAL LINK TO PROMOTING THE SCHOOL SYSTEM'S EDUCATIONAL PROGRAM.
- B. THE BOARD ENCOURAGES TEACHERS TO JOIN AND PARTICIPATE IN THEIR SCHOOL'S PT(S)A MEETINGS AND ENCOURAGES THEM TO USE THIS IMPORTANT FORUM TO PROMOTE THE SCHOOL SYSTEM'S EDUCATIONAL PROGRAM TO ITS PARENTS AND COMMUNITY.

[Policy on this subject is printed in the Master Agreement with the Teachers Association of Baltimore County, Maryland, Inc.]

RELATED POLICIES: BOARD OF EDUCATION POLICY 1210, *RELATIONSHIP WITH PARENT-TEACHER (STUDENT) ASSOCIATIONS*
BOARD OF EDUCATION POLICY 1250, *PARTICIPATION IN THE LOCAL SCHOOL BY COMMUNITY MEMBERS*
BOARD OF EDUCATION POLICY 1270, *PARENT AND FAMILY INVOLVEMENT*

Policy
Adopted: 04/09/81
REVISED: _____

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 2363 – EMPLOYEE SUGGESTION PROGRAM**

ORIGINATOR: Renee A. Foose Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale Rauenzahn, Executive Director, Student Support Services
Patsy Holmes, Director

RECOMMENDATION

That the Board of Education approves the proposed deletion of Board of Education Policy 2363 – *Employee Suggestion Program*. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 2363

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 2363
EMPLOYEE SUGGESTION PROGRAM**

Statement of Issues or Questions Addressed

Board of Education Policy 2363 has not been reviewed since 1983. Policy 2363 outlines the process by which employees may share their suggestions for the improvement of the school system. Staff is recommending that this policy be deleted, as the Employee Suggestion Program has been defunct for many years, and the process no longer exists. As such, the policy is no longer needed and should be deleted.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

None

Legal Requirements

None

Similar Policies Adopted by Other Local School Systems

None

Draft of Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading – September 6, 2011

ADMINISTRATION: Administrative Operations

General: Employee Suggestion Program

Any employee who has a suggestion for the improvement of the school system shall communicate the suggestion in a letter addressed to:

Chairman of the Employee Suggestion Program
Baltimore County Public Schools
Towson, Maryland 21204

All suggestions will be reviewed and acknowledged by the appropriate administrator. If an improvement in a program is implemented as a result of such a suggestion, a summary of the suggestion and the resulting action will be placed in the employee's personnel file by the appropriate administrator.

Policy
Adopted: 8/9/73
Revised: 11/3/83]

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 4124/ POLICY 4503, *ALTERNATIVE PROGRAMS INSTRUCTORS***

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed deletion of Policy 4124/Policy 4503. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 4124/Policy 4503

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4124/4503
ALTERNATIVE PROGRAMS INSTRUCTORS**

Statement of Issues or Questions Addressed

Board of Education Policy 4124 has not been reviewed since 1999. Policy 4124 describes how the Board will hire teachers for its alternative programs. Staff is recommending that the policy be deleted, because: (1) the teacher certification requirements are addressed in State law and (2) the hiring process for teachers in alternative programs is addressed in Department of Human Resources procedures. As such, the policy is not necessary and should be deleted.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by this deletion of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 4111, *Recruitment and Selection*

Legal Requirements

None

Similar Policies Adopted by Other Local School Systems

Similar policies could not be found in a search of other school systems' Web sites.

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternative was considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading – September 6, 2011

PERSONNEL: Professional

Temporary and Part-Time: Alternative Programs Instructors

All references to alternative programs include home teaching, evening high school, group learning centers, summer school, driver education, tutoring and counseling, Even Start, and any other alternative programs that employ part-time hourly employees.

Teachers of alternative programs are paid stipends based on an approved hourly rate between the Board of Education and TABCO.

Teachers will be assigned to alternative program classes as necessary and as appropriate to these respective programs. No teacher shall be required to conduct alternative program classes in addition to a regular daytime teaching responsibility.

Teaching assignments are subject to annual review prior to renewal.

Since these alternative programs in Baltimore County are a part-time, voluntary, and minimal tuition program, all instructors must be proficient and able to meet the educational, vocational, and personal needs of the students. Selections will be based upon ability and professional preparation including certification.

Policy
Adopted: 12/10/70
Revised: 10/27/77
Revised: 9/7/99
Edit: 07/1/11]

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 4142/POLICY 4208, SALARY REGULATIONS-SCHOOL NURSES**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed deletion of Policy 4142/Policy 4208. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 4142/Policy 4208

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4142/4208
SALARY REGULATIONS - SCHOOL NURSES**

Statement of Issues or Questions Addressed

Board of Education Policy 4142 was last reviewed in 2000. Policy 4142 addresses the performance and evaluation of school nurses, their employee benefits, and their probationary period. Staff is recommending that the policy be deleted because all school nurses are now represented by the Teachers Association of Baltimore County, and employee benefits and the evaluation process are addressed by the Master Agreement. As such, this policy will be deleted.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

None

Legal Requirements

1. *Annotated Code of Maryland*, Education Article §6-401(d)(3) defines “public school employee” in Baltimore County as a secondary, elementary, or special school nurse.

Similar Policies Adopted by Other Local School Systems

None

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading/Vote – September 6, 2011

PERSONNEL: Professional

Compensation and Related Employee Benefits: Salary Regulations - School Nurses

Secondary school nurses are entitled to the same employee benefits as specified in appropriate articles of the Master Agreement for teachers and the professional policies of this Manual of Policies and Regulations. Elementary and special school nurses are entitled to the employee benefits as specified in the Master Agreement between the Professional Staff Nurses' Association of Maryland and the Board of Education of Baltimore County and the professional policies of this Manual of Policies and Regulations.

All nurses are in a probationary status for a two-year period. At the end of the probationary period, if the nurse's performance meets standards, the school nurse is considered a continuing employee. School nurses are subject to the appraisal process as outlined in the agreements identified above and in the Pupil Services Manual.

Policy
Adopted: 6/14/73
Revised: 5/2/00
Edited: 07/1/11]

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES OF BOARD OF EDUCATION POLICY 4240 (RENUMBERED TO 4402),
TERMINATION OF EMPLOYMENT**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 4240 (renumbered to Policy 4402). This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 4240 (renumbered to 4402)

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4240 (RENUMBERED TO 4402)
TERMINATION OF EMPLOYMENT**

Statement of Issues or Questions Addressed

Board of Education Policy 4240 has not been reviewed since its adoption in 1979. Policy 4240 currently deals with the termination from employment of classified employees. Staff is recommending that the policy be revised to: (1) outline consistent and uniform disciplinary action for employees who fail to meet the expectations in the performance of their jobs; (2) rename the policy to more accurately reflect the intent of the policy; (3) conform with the Policy Review Committee's policy editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 4001, *Drug-Free Workplace*
2. Board of Education Policy 4002, *Precepts, Beliefs and Values of the Baltimore County Public Schools*
3. Board of Education Policy 4008, *Obligations of Employees of the Board of Education of Baltimore County*
4. Board of Education Policy 4011, *Medical Evaluations*
5. Board of Education Policy 4115, *Employee Conduct and Responsibilities*
6. Board of Education Policy 4300, *Evaluations*
7. Board of Education Policy 8339, *Appeal Before Hearing Examiner*
8. Board of Education Policy 8340, *Appeal Before the Board of Education*
9. Board of Education Policy 8410, *Fraud Reporting*

Legal Requirements

1. *Annotated Code of Maryland, Education Article §4-205, Powers and duties of county superintendent.*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy GCM, *Resignation -- Classified Staff*
2. Anne Arundel County Board of Education, Policy GCN, *Suspension and Dismissal of Classified Staff*
3. Anne Arundel County Board of Education, Policy GCO, *Termination of Employment-- Classified Staff*
4. Howard County Board of Education, Policy 7030, *Employee Conduct and Discipline*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading – September 6, 2011

PERSONNEL: Classified

TERMINATION OF EMPLOYMENT [Separation, Voluntary, and Involuntary]

I. PHILOSOPHY

THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) BELIEVES THAT ALL EMPLOYEES WILL CONDUCT THEMSELVES IN ACCORDANCE WITH THE STANDARDS OF BEHAVIOR THAT REFLECT THE VALUES AND BELIEFS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS). THE BOARD FURTHER BELIEVES THAT THE SEPARATION, TERMINATION, AND DISCHARGE OF EMPLOYEES SHOULD BE ADMINISTERED IN A FAIR AND CONSISTENT MANNER.

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO DEVELOP APPROPRIATE RULES AND PROCEDURES TO IMPLEMENT THIS POLICY.

[The Superintendent shall establish such procedures as are necessary to assure consistency in the separation of employees.]

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-205, POWERS AND DUTIES OF COUNTY SUPERINTENDENT.*

RELATED POLICIES: BOARD OF EDUCATION POLICY 4001, *DRUG-FREE WORKPLACE*
BOARD OF EDUCATION POLICY 4002, *PRECEPTS, BELIEFS AND VALUES OF THE BALTIMORE COUNTY PUBLIC SCHOOLS*
BOARD OF EDUCATION POLICY 4008, *OBLIGATIONS OF THE EMPLOYEES OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY*
BOARD OF EDUCATION POLICY 4011, *MEDICAL EVALUATIONS*
BOARD OF EDUCATION POLICY 4115, *EMPLOYEE CONDUCT AND RESPONSIBILITIES*
BOARD OF EDUCATION POLICY 4300, *EVALUATIONS*

POLICY 4240

BOARD OF EDUCATION POLICY 8340, *APPEAL
BEFORE THE BOARD OF EDUCATION*

BOARD OF EDUCATION POLICY 8341, *APPEAL
BEFORE HEARING EXAMINER*

BOARD OF EDUCATION POLICY 8410, *FRAUD
REPORTING*

Policy

Adopted: 07/12/79

Edited: 07/01/11

REVISED: _____

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 4264/POLICY 4406, EDUCATIONAL ASSISTANCE PROGRAMS**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Donald Peccia, Assistant Superintendent, Human Resources

RECOMMENDATION

That the Board of Education approves the proposed deletion of Policy 4264/Policy 4406. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 4264/Policy 4406

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4264/4406
EDUCATIONAL ASSISTANCE PROGRAMS**

Statement of Issues or Questions Addressed

Board of Education Policy 4264 has not been reviewed since 1984. Policy 4264 outlines the process to be used by classified employees for obtaining tuition reimbursement. Staff is recommending that the policy be deleted. The process for obtaining tuition reimbursement is found in the ESPBC and AFSME Master Agreements, as well as in Human Resource's departmental procedures. Policy 4264/4406 will be deleted.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

None.

Legal Requirements

None

Similar Policies Adopted by Other Local School Systems

None

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading – September 6, 2011

PERSONNEL: Classified

Compensation Plan: Educational Assistance Programs

Within the limitations of amounts budgeted each year for this purpose, full or partial reimbursement of tuition may be made to those regular classified employees who are employed fifteen (15) hours per week or more and who satisfactorily complete approved education or training to improve knowledge and skills.

1. General Objectives

- a. To provide financial assistance to permanent classified employees who attend courses to improve performance in their present position or to prepare themselves for promotions in the educational system.
- b. To enable all eligible regular classified employees to apply for educational assistance for course work at recognized educational institutions. Acceptable educational institutions may include business schools, colleges, universities, adult education centers, professional, scientific, and technical institutes.

2. Procedures

- a. An employee desiring to participate in the Educational Assistance program must completed three (3) copies of the Classified Application for Course Approval, available from the Department of Personnel, within thirty (30) days of course enrollment, and submit them to the appropriate administrator. The appropriate administrator may comment as to the relative value of the course to the employee in his/per present position or a promotional position and forward it to the Department of Personnel for action by the appropriate specialist in personnel. After approval or disapproval of the request, the specialist in personnel will return two copies of the application to the employee. No reimbursement will be made without prior course approval.
- b. After satisfactory completion of the course for which reimbursement has been approved, the employee shall submit two (2) copies of the Application for Educational Reimbursement to the Department of Personnel along with an official grade notice and receipts for monies spent on tuition. The Department of Personnel shall then authorize reimbursement to the employee.

- c. Should the employee be separated from the Board of Education for any reason other than leave of absence or layoff prior to receiving reimbursement, authorization for educational assistance will be rescinded, since the intent of this program is to improve educational services through financial assistance to career employees. In the event an employee is on leave or is in layoff status, reimbursement due will be held in abeyance until he/she returns to active service.

3. Policy for Reimbursement

Qualified personnel shall be eligible for up to the currently authorized maximum reimbursement per credit hour or the tuition cost, whichever is less, to be paid upon presentation of a passing grade. Only nine (9) semester hours will be honored per fiscal year. For non-credit courses, the credit equivalent (for purposes of reimbursement only) shall be established by dividing the total number of hours of formal instruction by fifteen (15).

4. Limitations

- a. Documentation of satisfactory completion of the course(s) is required for reimbursement.
- b. Reimbursement shall be based upon tuition only. Related fees such as registration, testing, lab and library fees, cost of books and materials are not reimbursable.

Policy
Adopted: 6/13/74
Revised: 3/25/82
Revised: 4/26/84
Edited: 07/1/11]

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES OF BOARD OF EDUCATION POLICY 5530, STUDENT USE AND POSSESSION OF TOBACCO**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 5530. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 5530

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 5530
STUDENT USE AND POSSESSION OF TOBACCO**

Statement of Issues or Questions Addressed

Board of Education Policy 5530 has not been reviewed since 1999. Policy 5530 prohibits students from using or possessing tobacco products on school property or at school-sponsored activities. Staff is recommending that the policy be revised to: (1) more accurately reflect the Board's philosophy; (2) include smoking danger education requirement mandated by State regulation (the Maryland Comprehensive Health Education Program); (3) specify that disciplinary action will be taken for non-compliance; (4) conform with the Policy Review Committee's policy editing conventions. Staff is also recommending that the title be changed to clearly identify this policy with students so that it will not be confused with Board of Education Policy 2372, *Tobacco*, which prohibits the use of tobacco by employees.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 2372, *Tobacco*
2. Board of Education Policy 5330, *Social Events*
3. Board of Education Policy 5500, *Conduct*
4. Board of Education Policy 5550, *Disruptive Behavior*
5. Board of Education Policy 5560, *Suspensions, Assignment to Alternative Programs, or Expulsions*
6. Board of Education Policy 5600, *Students' Rights and Responsibilities*

Legal Requirements

1. *Annotated Code of Maryland, Criminal Law Article §10-107, Distribution of Tobacco Product to Minor*
2. *Annotated Code of Maryland, Criminal Law Article §10-108, Possession of Tobacco Product by Minor; Use of False Identification*
3. COMAR 13A.02.04, *Tobacco-Free School Environment*
4. COMAR 13A.04.18, *Program in Comprehensive Health Education*
5. COMAR 13A.08.01.08, *Substance Use or Distribution*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy JCC, *Student Conduct*
2. Fredrick County Board of Education, *Drug-Free, Alcohol-Free, and Tobacco-Free Workplace and School System*
3. Harford County Board of Education, *Use of Tobacco Products*
4. Howard County Board of Education, Policy 9240, *Student Use and Possession of Tobacco Products*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered by staff.

Timeline

First reading – July 12, 2011

Public comment – August 9, 2011

Third reading/vote – September 6, 2011

STUDENTS: Conduct

STUDENT USE AND POSSESSION OF Tobacco

I. PHILOSOPHY

- A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) IS COMMITTED TO PROVIDING SCHOOL ENVIRONMENTS THAT ARE SAFE AND CONDUCIVE TO LEARNING. THE BOARD RECOGNIZES THAT THE USE OF TOBACCO PRODUCTS POSES A SERIOUS HEALTH RISK TO BOTH USERS AND NON-USERS OF TOBACCO PRODUCTS. THE BOARD FURTHER BELIEVES THAT THE SCHOOL SYSTEM HAS THE RESPONSIBILITY TO EDUCATE ITS STUDENTS ON THE DANGERS OF TOBACCO USE.
- B. THE SALE, USE, OR POSSESSION OF TOBACCO IN ANY FORM BY STUDENTS IS PROHIBITED IN ALL BALTIMORE COUNTY PUBLIC SCHOOLS, IN SCHOOL SYSTEM BUILDINGS, ON SCHOOL GROUNDS, AND AT ANY SCHOOL-SPONSORED ACTIVITY.

II. IMPLEMENTATION

THE SUPERINTENDENT SHALL DEVELOP APPROPRIATE RULES TO IMPLEMENT THIS POLICY, WHICH SHALL INCLUDE THE POSSIBILITY OF DISCIPLINARY ACTION FOR VIOLATIONS OF THIS POLICY.

[The Board of Education of Baltimore County recognizes the use of tobacco as a serious threat to health.

Students are prohibited from the use and/or possession of tobacco or tobacco products on school property or at school-sponsored activities.

The Superintendent of Schools is hereby directed to enact rules to implement this policy.]

Legal ReferenceS: *ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-107, DISTRIBUTION OF TOBACCO PRODUCT TO MINOR*
ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-108, POSSESSION OF TOBACCO PRODUCT BY MINOR; USE OF FALSE IDENTIFICATION
COMAR 13A.02.04, *TOBACCO-FREE SCHOOL ENVIRONMENT*
COMAR 13A.04.18, *PROGRAM IN COMPREHENSIVE HEALTH EDUCATION*
COMAR 13A.08.01.08, *SUBSTANCE USE OR DISTRIBUTION*

[Maryland Law, Art. 27, §406. *Possession or Use of a False Identification to Obtain Tobacco Products or Rolling Papers*, Code of Maryland Regulations (COMAR)
COMAR 13A.02.04, *Tobacco Free School Environment*
COMAR 13A.08.01.08B, *Substance Use of Distribution, Tobacco Board of Education Policy 2372, Administration: Administration Operations, Conduct, Tobacco*]

RELATED POLICIES: BOARD OF EDUCATION POLICY 2372, *TOBACCO*
BOARD OF EDUCATION POLICY 5330, *SOCIAL ACTIVITIES*
BOARD OF EDUCATION POLICY 5500, *CONDUCT*
BOARD OF EDUCATION POLICY 5540, *ALCOHOLIC BEVERAGES AND DRUGS*
BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE BEHAVIOR*
BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS, ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR EXPULSIONS*
BOARD OF EDUCATION POLICY 5600, *STUDENTS' RIGHTS AND RESPONSIBILITIES*

Policy
Adopted: 11/29/73
Revised: 07/09/81
Revised: 01/12/99
REVISED: _____

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 6602, ALTERNATIVE PROGRAMS**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 6602. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 6602

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 6602
ALTERNATIVE PROGRAMS
(TO BE RENAMED AS, “ALTERNATIVE EDUCATION PROGRAMS”)**

Statement of Issues or Questions Addressed

Board of Education Policy 6602 was last reviewed in 1999. Policy 6602 outlines the Board’s commitment to providing alternative education programs that ensure student achievement. Staff is recommending that the policy be revised to: (1) rename the policy from “Alternative Programs” to “Alternative Education Programs;” (2) articulate the connection between the impact the school system’s alternative education programs have on student achievement and graduation rates; (3) remove the evaluation component, because the same criteria are used for evaluation of both alternative and regular education programs; (4) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 5560, *Suspensions, Assignment to Alternative Programs, or Expulsions*
2. Board of Education Policy 6604, *Purpose of the Evening and Saturday High School Programs*

Legal Requirements

1. *Annotated Code of Maryland, Education Article §4-111, Curriculum Guides and Courses of Study; Study of Sign Language*
3. *Annotated Code of Maryland, Education Article §7-304, Special Programs for Disruptive Students*
3. COMAR 13A.03.02.05, *Other Provisions for Earning Credit*

Similar Policies Adopted by Other Local School Systems

Similar policies could not be found in a search of other school systems’ Web sites.

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternative was considered.

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading/Vote – September 6, 2011

INSTRUCTION: CURRICULUM EXTENSIONS AND ALTERNATIVE PROGRAMS

Alternative EDUCATION Programs

I. POLICY STATEMENT

The Board of Education OF BALTIMORE COUNTY (BOARD) believes [that] all students WILL LEARN AND ACHIEVE [can be successful]. The alternative EDUCATION programs provided by the Board [of Education] allow ALL students THE OPPORTUNITY TO PARTICIPATE [to experience] IN a variety of [options] PROGRAMS to IMPROVE ACADEMIC ACHIEVEMENT AND ADDRESS THE SOCIAL AND EMOTIONAL NEEDS OF THE STUDENTS [achieving success]. ALL [Since all children] STUDENTS do not meet success in the same manner; THEREFORE, a variety of curricula, instructional strategies, and settings must be provided. Alternative EDUCATION programs are an integral and necessary service of the Board [of Education] TO ENSURE ALL STUDENTS MEET GRADUATION REQUIREMENTS; HAVE THE KNOWLEDGE AND SKILLS TO ENTER THE WORK FORCE AND BE PRODUCTIVE CITIZENS; AND/OR ENROLL IN POST-SECONDARY EDUCATION.

[Evaluation of the Alternative Instructional and Therapeutic Programs

Evaluation permeates all classes and therapeutic components of the alternative programs and functions as an integral part of the total education process. Specific data shall be collected and reported to the Board of Education, the Superintendent of Schools, and staff.]

II. IMPLEMENTATION

- A. THE SUPERINTENDENT SHALL PROVIDE FOR THE ADMINISTRATION AND SUPERVISION OF THE ALTERNATIVE EDUCATION PROGRAMS.
- B. THE ALTERNATIVE EDUCATION PROGRAMS WILL FOLLOW THE BOARD'S CURRICULUM STANDARDS AND ALL POLICIES ON STUDENT BEHAVIOR, ATTENDANCE, GRADING, AND GRADUATION.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-111, CURRICULUM GUIDES AND COURSES OF STUDY; STUDY OF SIGN LANGUAGE*
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-304, SPECIAL PROGRAMS FOR DISRUPTIVE STUDENTS
COMAR 13A.03.02.05, *OTHER PROVISIONS FOR EARNING CREDIT*

RELATED POLICIES: BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS, ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR EXPULSIONS*
BOARD OF EDUCATION POLICY 6604, *PURPOSE OF THE EVENING AND SATURDAY HIGH SCHOOL PROGRAMS*

Policy
Adopted: 11/21/68
Revised: 09/07/99
REVISED: _____

Board of Education of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8339 (NEW POLICY 8341), APPEAL BEFORE HEARING EXAMINER**

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

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

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8339.
This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 8339

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 8339
APPEAL BEFORE HEARING EXAMINER
(RENAMED AS, “POLICY 8341, APPEAL BEFORE A HEARING EXAMINER”)**

Statement of Issues or Questions Addressed

Board of Education Policy 8339 outlines the rules of procedure for hearings referred by the Board of Education to the Board’s hearing examiners. Policy 8339 is being revised to: (1) Renumber the policy so that it will now follow Policy 8340, *Appeal before the Board of Education*; (2) Define certain key terms; (3) Authorize the hearing examiner, under certain circumstances, to issue findings and recommendations without having to hold a hearing; (4) More clearly specify the timelines for appeals to the Board; (5) Clarify that mailings to an appellant’s representative constitute notice to the appellant; (6) Indicate that the local Board’s decision may be appealed to the Maryland State Board of Education; and (7) Conform to the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 5560, *Suspensions, Assignment to Alternative Programs, or Expulsions*
2. Board of Education Policy 8340, *Appeal Before the Board of Education*
2. Board of Education Policy 8366, *Ethics Review Panel*

Legal Requirements

1. *Annotated Code of Maryland, Education Article §4-205, Powers and Duties of County Superintendent.*
2. *Annotated Code of Maryland, Education Article §6-202, Suspension and Dismissal of Teachers, Principals and Other Professional Personnel.*
3. *Annotated Code of Maryland, Education Article §6-203, Hearing Examiner in Certain Counties and Baltimore City.*
4. *Annotated Code of Maryland, Education Article §7-305, Suspension and Expulsion.*
5. *COMAR 13A.01.05, Appeals to the State Board of Education*
6. *COMAR 13A.05.09.07, Dispute Resolution*

Similar Policies Adopted by Other Local School Systems

1. Frederick County Board of Education, Policy 105, *Appeal and Hearing Procedures*
2. Harford County Board of Education, Policy 22-0018-000, *Hearings Before the Board of Education of Harford County or the Hearing Examiner*
3. Montgomery County Board of Education, Policy BLB, *Rules of Procedure in Appeals and Hearings*
4. Prince George’s County Board of Education, Policy 4200, *Employee and 4-205 Appeals Before the Board of Education*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading/Vote – September 6, 2011

INTERNAL BOARD POLICIES: Operations

Appeal Before A Hearing Examiner

I. PURPOSE [Procedures for Hearing Examiners]

PRIOR TO THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) RENDERING A FINAL DECISION, THE BOARD MAY REFER APPEALS [When requests for hearings or appeals] authorized under the Education Article OF THE *ANNOTATED CODE OF MARYLAND* [have been referred by the Board of Education of Baltimore County (Board)] to the Board's hearing examiner. [, pursuant to the Education Article,] The following Rules of Procedure shall apply FOR ALL APPEALS REFERRED TO A BOARD HEARING EXAMINER.

II. [II. Selection of Panel of] Hearing Examiners

- A. The Board shall appoint a panel of at least five (5) hearing examiners annually. A hearing examiner must be an attorney admitted to practice before the Maryland Court of Appeals.
- B. The hearing examiner for each hearing shall be selected on a rotation basis among the members of the panel of hearing examiners in alphabetical order of last names.
- C. The compensation for hearing examiners shall be determined by the Board.

III. DEFINITIONS

- A. *APPELLANT* – MEANS THE INDIVIDUAL OR ENTITY APPEALING A FINAL DECISION OF THE SUPERINTENDENT OR A RECOMMENDATION OF THE SUPERINTENDENT.
- B. *DAYS* – MEANS CALENDAR DAYS
- C. *DESIGNATED REPRESENTATIVE* – MEANS A PARTY'S ATTORNEY, AN ADVOCATE, OR ASSOCIATION/UNION REPRESENTATIVE.
- D. *FILE* – MEANS THE DELIVERY OF DOCUMENTS TO THE ADMINISTRATIVE OFFICE OF THE BOARD ON OR BEFORE THE DOCUMENTS ARE DUE, OR DEPOSITING THE PAPERS IN THE UNITED STATES MAIL BEFORE THE DATE THE PAPERS ARE DUE.
- E. *PARTY* – MEANS AN APPELLANT, RESPONDENT, OR ANY PERSON OR ENTITY ALLOWED TO PARTICIPATE AS A PARTY IN

INTEREST REGARDING ISSUES OUTLINED IN PARAGRAPH V BELOW.

- F. *WRITTEN NOTICE* – MEANS TO DEPOSIT SAID NOTICE IN THE UNITED STATES MAIL, STAMPED AND ADDRESSED TO THE ADDRESSEE AT THE MAILING ADDRESS PROVIDED BY THE APPELLANT OR APPEARING IN THE RECORDS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS.

IV. PROCEDURES AND DEADLINES

THE PROCEDURES FOR EACH TYPE OF APPEAL ARE LISTED BELOW. IT IS THE RESPONSIBILITY OF THE PARTY APPEALING TO FOLLOW THE PROCEDURES AND TO FILE ALL DOCUMENTS BY THE SPECIFIED DEADLINES. IF AN APPEAL IS NOT FILED WITHIN THE STIPULATED TIME PERIOD, OR IF THE REQUIRED DOCUMENTATION TO BE PROVIDED BY THE PARTY IS INCOMPLETE, OR IF THE PARTY FAILS TO APPEAR AT A SCHEDULED HEARING, SUCH FAILURE MAY CONSTITUTE SUFFICIENT GROUNDS FOR THE HEARING EXAMINER TO RECOMMEND THAT THE BOARD DISMISS THE APPEAL OR FOR THE BOARD TO DISMISS THE APPEAL.

V. APPEALS AND TIMELINES

- A. ALL APPEALS TO THE BOARD SHALL BE FROM A RECOMMENDATION, FINAL ACTION, OR DECISION OF THE SUPERINTENDENT, OR THE SUPERINTENDENT’S DESIGNATED REPRESENTATIVE.
- B. PROCEEDINGS COVERED BY THIS POLICY ARISE UNDER THE EDUCATION ARTICLE OF THE *ANNOTATED CODE OF MARYLAND*:
 - 1. SECTION 4-205(c) APPEALS - APPEALS FROM DECISIONS OF THE SUPERINTENDENT WITH RESPECT TO INTERPRETATION OF MARYLAND SCHOOL LAW; BYLAWS OF THE STATE BOARD OF EDUCATION; MATTERS RELATING TO CONTROVERSIES AND DISPUTES INVOLVING THE RULES AND REGULATIONS OF THE COUNTY BOARD OR THE PROPER ADMINISTRATION OF THE SCHOOL SYSTEM.
 - a. AN APPEAL FILED PURSUANT TO SECTION 4-205(c) MUST BE FILED IN WRITING WITH THE BOARD WITHIN THIRTY (30) DAYS OF THE DECISION OF THE

SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNATED REPRESENTATIVE.

2. SECTION 6-202 APPEALS - APPEALS TAKEN BY CERTIFICATED PERSONNEL REGARDING A RECOMMENDATION BY THE SUPERINTENDENT THAT A CERTIFICATED EMPLOYEE BE DISMISSED OR SUSPENDED.
 - a. AN APPEAL FILED PURSUANT TO SECTION 6-202 MUST BE FILED IN WRITING WITH THE BOARD WITHIN TEN (10) DAYS OF THE SUPERINTENDENT'S RECOMMENDATION.
- C. THE APPEAL MUST BE FILED WITH THE BOARD AND INCLUDE THE FOLLOWING:
 1. THE FULL NAME, MAILING ADDRESS, AND TELEPHONE NUMBER FOR EACH PARTY, OR THE PARTY'S DESIGNATED REPRESENTATIVE, WHO IS TAKING THE APPEAL;
 2. A COPY OF THE DECISION FROM WHICH THE APPEAL OR REQUEST FOR HEARING IS BEING TAKEN;
 3. A CONCISE STATEMENT OF THE ISSUES PRESENTED AND THE FACTS ABOUT WHICH THE PERSON OR PERSONS IS TAKING THE APPEAL OR REQUESTING A HEARING.
- D. TIME AND NOTICE REQUIREMENTS
 1. IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THESE PROCEDURES OR BY APPLICABLE STATUTE, THE DATE OF THE SUPERINTENDENT'S DECISION OR RECOMMENDATION IS NOT INCLUDED; SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS SHALL BE COUNTED. IN THE EVENT THAT THE LAST DAY COMPUTED FALLS ON A SATURDAY, SUNDAY, OR SCHOOL SYSTEM HOLIDAY, THE PERIOD SHALL EXTEND TO THE FIRST BUSINESS DAY THEREAFTER.
 2. FOR FILING OF DOCUMENTS WITH THE BOARD, IF THE ADMINISTRATIVE OFFICES OF THE SCHOOL SYSTEM ARE NOT OPEN DURING ITS REGULAR BUSINESS HOURS ON THE LAST DAY OF THE PERIOD, THE DOCUMENTS SHALL BE FILED ON THE NEXT DAY THEREAFTER WHEN THE ADMINISTRATIVE OFFICES ARE OPEN.
- E. MAILING OF NOTICES AND FINDINGS
 1. IN ALL HEARINGS PROVIDED FOR HEREIN, WHERE A PARTY IN INTEREST IS REPRESENTED BY COUNSEL, AN ADVOCATE OR ASSOCIATION/UNION OFFICIAL, ALL

NOTICES AND MAILINGS REQUIRED BY THE BOARD OR HEARING EXAMINER SHALL BE SENT TO THE PARTY'S DESIGNATED REPRESENTATIVE AND SUCH MAILING SHALL CONSTITUTE OFFICIAL NOTICE TO THE PARTY.

VI. HEARING PROCEDURE

A. ACKNOWLEDGEMENT

1. THE BOARD SHALL PROMPTLY ACKNOWLEDGE RECEIPT OF THE APPEAL IN WRITING AND SEND A COPY OF THE APPEAL AND THE ACKNOWLEDGEMENT TO THE SUPERINTENDENT.
2. THE BOARD WILL FORWARD THE APPEAL TO THE BOARD'S SCHEDULER REQUESTING THAT THE MATTER BE SET FOR HEARING BEFORE A HEARING EXAMINER, UNLESS THE BOARD DEEMS IT APPROPRIATE TO SCHEDULE AN ORAL ARGUMENT OR A PROCEEDING WITHOUT A HEARING EXAMINER.

B. [III.] Notice of Hearing

1. Written notice of the DATE, TIME, AND LOCATION OF A HEARING REGARDING AN APPEAL UNDER THIS POLICY SHALL BE FORWARDED BY THE BOARD'S SCHEDULER TO ALL PARTIES.
2. THE NOTICE OF hearing shall be sent by the Board'S SCHEDULER to all parties not less than ten (10) days prior to the hearing. NOTHING IN THIS POLICY SHALL PRECLUDE THE BOARD FROM SCHEDULING A HEARING ON AN EXPEDITED BASIS IF NECESSITATED BY LAW OR AGREED TO BY THE PARTIES. [, and it shall state the date, time, and place of the hearing. "Party" includes any person or agency named or admitted as a party. Any person or agency may be admitted as a party for limited purposes upon the satisfactory demonstration of the nature and extent of interest to the hearing examiner.]

C. REPRESENTATION

1. All parties appearing at formal hearings shall have the right to appear in person or with counsel, OR A DESIGNATED REPRESENTATIVE OF THEIR CHOICE.
2. ALL PARTIES SHALL HAVE THE RIGHT TO BE ACCOMPANIED, REPRESENTED, AND ADVISED BY COUNSEL.

D. HEARING RECORD [IV. Records – Transcripts]

1. The hearing examiner shall prepare an official record, which shall include all pleadings, testimony, exhibits, and other memoranda or material filed in the proceeding.
 2. A stenographic record OF ALL HEARINGS shall be PREPARED [made] at the expense of the school system. THE RECORD NEED NOT BE TRANSCRIBED, HOWEVER, UNLESS REQUESTED BY A PARTY TO THE CONTROVERSY OR BY THE HEARING EXAMINER. [and shall be transcribed. Cost of copies of the transcript of any proceedings, or part thereof, shall be paid by the party requesting the copy.]
- E. [V.] Presiding Officer – Duties and Authority
1. The hearing examiner shall be the presiding officer and shall have charge of the hearing with authority to permit the examination of witnesses, admit evidence, rule on the admissibility of evidence, and adjourn or recess the hearing from time to time.
 2. The hearing examiner shall cause an oath to be administered to all witnesses testifying during the proceedings.
- F. [A.] Order of Procedure
1. The order in which the parties shall present their case shall be determined by the hearing examiner, except that in case arising under Section 6-202 of the Education Article, the Superintendent shall proceed first.
- G. [B.] Examination of Witnesses and Introduction of Evidence
1. The strict Rules of Evidence shall not be applicable to hearings conducted hereunder.
 2. The hearing examiner may limit or refuse to admit repetitive evidence and may curtail redundant testimony.
 3. All testimony shall be given under oath.
 4. Any party or counsel for any party may submit evidence, examine and cross-examine witnesses, and file objections, exceptions, and motions.
 5. The hearing examiner may examine all witnesses called by any party. He/she may call as a witness any person whose testimony may be relevant.
- H. [C.] Briefs
1. Any party may submit briefs of the issues of fact and law involved in the hearing in such form and within such time as the presiding officer may designate.
- VII. [D.] Findings

- A. THE HEARING EXAMINER SHALL ISSUE *Findings of Fact, Conclusions of Law, and Recommendations* of the hearing examiner shall be mailed (certified mail, return receipt requested,) to the parties and the Board not more than thirty (30) days after the record is closed.
- B. THE HEARING EXAMINER SHALL DISTRIBUTE OR MAIL TO ALL PARTIES, OR THE PARTY'S REPRESENTATIVE, THE *FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION*.
- C. THE *FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION* WILL BE MAILED TO THE APPELLANT OR HIS/HER REPRESENTATIVE BY CERTIFIED MAIL/RETURN RECEIPT REQUESTED, OR BY ANY OTHER DELIVERY METHOD WHICH PROVIDES PROOF OF DELIVERY.

VIII. [VI.] ORAL Argument

- A. ANY PARTY TO THE PROCEEDING MAY REQUEST TO APPEAR IN PERSON TO PRESENT ORAL ARGUMENT BEFORE THE BOARD PRIOR TO ITS RENDERING A FINAL DECISION.
- B. A REQUEST FOR ORAL ARGUMENT MUST BE FILED WITH THE BOARD within fifteen (15) days from the date of [mailing by] the hearing examiner of his/her *Findings of Fact, Conclusions of Law, and Recommendations*. [as provided above, any party to the proceeding or the Board of Education shall have the right to request oral argument before the Board prior to its rendering a decision in the case]
- C. THE RULES OF PROCEDURE FOR ORAL ARGUMENT BEFORE THE BOARD ARE OUTLINED IN BOARD OF EDUCATION POLICY 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*.

[Upon receipt of such a request for oral argument, the Board shall within 30 days notify (by certified mail, return receipt requested) all parties to the hearing of the date, time and place of oral argument. Oral argument shall be limited to fifteen (15) minutes per side unless the Board indicates otherwise.

VII. Opinion and Order

Each Opinion and Order of the Board shall be mailed in writing, unless it shall immediately follow the hearing, in which case it shall be delivered orally and thereafter in writing, with copies sent (certified mail, return receipt requested) to all parties. Each Opinion and Order shall be accompanied by findings of fact, conclusions of law, and a specific disposition of the case. Formal action of the Board shall be taken publicly at a Board meeting.

VIII. Mailing of Notices and Findings

In all hearings provided for herein, where a party in interest is represented by an attorney, all notices and mailings required by the Board or hearing examiner shall be sent to the attorney for the party and such mailing (certified mail, return receipt requested) shall constitute official notice to the party.]

Legal References: *Annotated Code of Maryland*, Education Article §4-205, *POWERS AND DUTIES OF COUNTY SUPERINTENDENT*.
Annotated Code of Maryland, Education Article §6-202, *SUSPENSION AND DISMISSAL OF TEACHERS, PRINCIPALS AND OTHER PROFESSIONAL PERSONNEL*.
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-203, *HEARING EXAMINER IN CERTAIN COUNTIES AND BALTIMORE CITY*.
COMAR 13A.01.05, *APPEALS TO THE STATE BOARD OF EDUCATION*
COMAR 13A.05.09.07, *DISPUTE RESOLUTION*

Related Policies: Board of Education Policy 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*

Policy

Board of Education of Baltimore County

Adopted: 07/11/91

Revised: 04/08/08

REVISED: _____

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8340, APPEAL BEFORE THE BOARD OF EDUCATION**

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

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

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8340.
This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 8340

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 8340
APPEAL BEFORE THE BOARD OF EDUCATION**

Statement of Issues or Questions Addressed

Board of Education Policy 8340 outlines the rules of procedure for hearings and appeals held before and filed with the Board of Education. Policy 8340 is being revised to: (1) Define certain key terms; (2) More clearly specify the process and timelines for appeals; (3) Clarify that mailings to an appellant's representative constitute notice to the appellant; (4) Indicate that the local Board's decision may be appealed to the Maryland State Board of Education; (5) Clarify that the Board has the option of hearing evidence, and (6) Conform to the Policy Review Committee's editing conventions.

Cost Analysis and Fiscal Impact on School System

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

Relationship to Other Board of Education Policies

1. Board of Education Policy 5560, *Suspensions, Assignment to Alternative Programs, or Expulsions*
2. Board of Education Policy 8339, *Appeal Before a Hearing Examiner*
2. Board of Education Policy 8366, *Ethics Review Panel*

Legal Requirements

1. *Annotated Code of Maryland, Education Article §4-205, Powers and Duties of County Superintendent.*
2. *Annotated Code of Maryland, Education Article §6-202, Suspension and Dismissal of Teachers, Principals and Other Professional Personnel.*
3. *Annotated Code of Maryland, Education Article §6-203, Hearing Examiner in Certain Counties and Baltimore City.*
4. *Annotated Code of Maryland, Education Article §7-305, Suspension and Expulsion.*
5. *COMAR 13A.01.05, Appeals to the State Board of Education*
6. *COMAR 13A.05.09.07, Dispute Resolution*

Similar Policies Adopted by Other Local School Systems

1. Frederick County Board of Education, Policy 105, *Appeal and Hearing Procedures*
2. Montgomery County Board of Education, Policy BLB, *Rules of Procedure in Appeals and Hearings*
3. Prince George's County Board of Education, Policy 4200, *Employee and 4-205 Appeals Before the Board of Education*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered

Timeline

First Reading – July 12, 2011

Public Comment – August 9, 2011

Third Reading/Vote – September 6, 2011

INTERNAL BOARD POLICIES: Operation

Appeal Before the Board of Education

I. POLICY STATEMENT

- A. MARYLAND LAW PROVIDES THAT THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) MAY HOLD HEARINGS ON CERTAIN MATTERS ARISING OUT OF A DISPUTE OR FOR APPEALS OF DECISIONS OF THE SUPERINTENDENT.
- B. NEITHER THE BOARD AS A WHOLE NOR ANY INDIVIDUAL MEMBER WILL DISCUSS THE CASE WITH THE AGGRIEVED PARTY OR HIS/HER DESIGNATED REPRESENTATIVE PRIOR TO FINAL ACTION BEING TAKEN BY THE BOARD.

II. PROCEDURAL OVERVIEW

- A. ALL APPEALS TO THE BOARD SHALL BE FROM A RECOMMENDATION, FINAL ACTION, OR DECISION OF THE SUPERINTENDENT, OR THE SUPERINTENDENT'S DESIGNATED REPRESENTATIVE.
- B. THE BOARD MAY CONSIDER THE APPEAL ITSELF OR REFER THE APPEAL TO A HEARING EXAMINER, AS AUTHORIZED BY LAW. IF REFERRED TO A HEARING EXAMINER, THE PROCEDURES OUTLINED IN BOARD OF EDUCATION POLICY 8341, *HEARING BEFORE A HEARING EXAMINER*, SHALL APPLY.
- C. FOR BOARD EMPLOYEES REQUESTING AN ADMINISTRATIVE APPEAL WHILE A GRIEVANCE ON THE SAME SUBJECT IS BEING PROCESSED IN ACCORDANCE WITH THE FORMAL GRIEVANCE PROCEDURE, SUCH APPEAL WILL BE HELD IN ABEYANCE UNTIL THE GRIEVANCE HAS REACHED LEVEL III/ARBITRATION OF THE MASTER AGREEMENT'S PROCEDURES.
- D. IT IS THE RESPONSIBILITY OF THE PARTY APPEALING TO FOLLOW THESE PROCEDURES AND TO FILE ALL DOCUMENTS BY THE SPECIFIED DEADLINES. IF AN APPEAL IS NOT FILED WITHIN THE STIPULATED TIME PERIOD, OR IF THE REQUIRED DOCUMENTATION TO BE PROVIDED BY THE PARTY IS INCOMPLETE, OR IF THE PARTY FAILS TO APPEAR AT A SCHEDULED HEARING, SUCH FAILURE MAY CONSTITUTE SUFFICIENT GROUNDS FOR THE BOARD TO DISMISS THE APPEAL.

III. APPLICABILITY

- A. THESE RULES GOVERN APPEALS AND HEARINGS WITHIN THE QUASI-JUDICIAL RESPONSIBILITIES OF THE BOARD. THEY ARE NOT APPLICABLE TO PROCEEDINGS INVOLVING THE BOARD'S EXERCISE OF ITS LEGISLATIVE OR POLICY-MAKING FUNCTION.
- B. PROCEEDINGS COVERED BY THIS POLICY ARISE FROM PROCEEDINGS PURSUANT TO THE EDUCATION ARTICLE, SECTIONS 6-202(a), 6-203, AND 4-205(c).
 - 1. HEARINGS UNDER SECTION 6-202(a) ARE ON RECOMMENDATIONS OF THE SUPERINTENDENT TO SUSPEND OR DISMISS PROFESSIONAL AND/OR CERTIFICATED PERSONNEL.
 - 2. PROCEEDINGS UNDER SECTION 4-205(c) INVOLVE APPEALS FROM DECISIONS OF THE SUPERINTENDENT ON CONTROVERSIES AND DISPUTES INVOLVING THE RULES AND REGULATIONS OF THE BOARD OR THE PROPER ADMINISTRATION OF THE COUNTY PUBLIC SCHOOL SYSTEM.
 - 3. HEARINGS UNDER SECTION 6-203 INVOLVING SECTIONS 4-205(c) and 6-202(a), WHICH ARE REFERRED BY THE BOARD FOR AN INITIAL HEARING BY A HEARING EXAMINER.

IV. DEFINITIONS

- A. *APPELLANT* – MEANS THE INDIVIDUAL OR ENTITY APPEALING A FINAL DECISION OF THE SUPERINTENDENT OR A RECOMMENDATION OF THE SUPERINTENDENT.
- B. *DAYS* – MEANS CALENDAR DAYS
- C. *DESIGNATED REPRESENTATIVE* – MEANS A PARTY'S ATTORNEY, OR ADVOCATE, OR ASSOCIATION/UNION OFFICIAL.
- D. *FILE* – MEANS THE DELIVERY OF DOCUMENTS TO THE ADMINISTRATIVE OFFICE OF THE BOARD ON OR BEFORE THE DOCUMENTS ARE DUE, OR DEPOSITING THE PAPERS IN THE UNITED STATES MAIL BEFORE THE DATE THE PAPERS ARE DUE.
- E. *PARTY* – MEANS AN APPELLANT, RESPONDENT, OR ANY PERSON OR ENTITY ALLOWED TO PARTICIPATE AS A PARTY IN

INTEREST REGARDING ISSUES OUTLINED IN PARAGRAPH II ABOVE.

- F. *PRESIDING OFFICER* – MEANS THE PRESIDENT OF THE BOARD, OR IN THE PRESIDENT’S ABSENCE, THE VICE PRESIDENT; OR IN THE ABSENCE OF BOTH, A MEMBER DESIGNATED BY THE PRESIDENT OR THE BOARD.
- G. *WRITTEN NOTICE* – MEANS TO DEPOSIT SAID NOTICE IN THE UNITED STATES MAIL, STAMPED AND ADDRESSED TO THE ADDRESSEE AT THE MAILING ADDRESS PROVIDED BY THE APPELLANT OR APPEARING IN THE RECORDS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS.

V. INITIATION OF APPEALS

- A. ALL APPEALS FILED WITH THE BOARD SHALL BE FROM A FINAL ACTION, DECISION, OR RECOMMENDATION OF THE SUPERINTENDENT, OR THE SUPERINTENDENT’S DESIGNATED REPRESENTATIVE, WHICH ADVERSELY AFFECTS THE PERSON OR PERSONS WHO ARE APPEALING.
- B. THE APPEAL MUST BE IN WRITING AND FILED WITH THE BOARD AND INCLUDE THE FOLLOWING:
 - 1. THE FULL NAME, MAILING ADDRESS, AND TELEPHONE NUMBER FOR EACH APPELLANT, OR THAT OF YOUR DESIGNATED REPRESENTATIVE;
 - 2. A COPY OF THE DECISION FROM WHICH THE APPEAL OR REQUEST FOR HEARING IS BEING TAKEN;
 - 3. A CONCISE STATEMENT OF THE ISSUES PRESENTED AND THE FACTS ABOUT WHICH THE PERSON OR PERSONS TAKING THE APPEAL OR REQUESTING A HEARING.
- C. DEADLINES
 - 1. EACH APPEAL TO THE BOARD UNDER SECTION 4-205(c) SHALL BE INITIATED BY FILING A WRITTEN NOTICE OF APPEAL WITH THE BOARD WITHIN 30 DAYS AFTER WRITTEN NOTICE OF THE SUPERINTENDENT’S FINAL ACTION OR DECISION HAS BEEN ISSUED; OR, WHERE WRITTEN NOTICE IS NOT REASONABLE, BY PUBLICATION OR OTHER COMMUNICATION REASONABLY DESIGNED TO BE AVAILABLE TO PERSONS ADVERSELY AFFECTED.
 - 2. EACH REQUEST FOR A HEARING UNDER SECTION 6-202(a) SHALL BE INITIATED BY FILING AN APPEAL WITH THE BOARD WITHIN 10 DAYS AFTER THE WRITTEN NOTICE OF

THE SUPERINTENDENT'S RECOMMENDATION THAT A PROFESSIONAL OR CERTIFICATED EMPLOYEE BE SUSPENDED OR DISMISSED.

3. IN COMPUTING ANY PERIOD OF TIME PRESCRIBED BY THESE PROCEDURES OR BY APPLICABLE STATUTE, THE DATE OF THE SUPERINTENDENT'S DECISION IS NOT TO BE INCLUDED; SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS SHALL BE COUNTED. IN THE EVENT THAT THE LAST DAY COMPUTED FALLS ON A SATURDAY, SUNDAY, OR SCHOOL SYSTEM HOLIDAY, THE PERIOD SHALL EXTEND TO THE FIRST DAY THEREAFTER.
4. FOR FILING OF DOCUMENTS WITH THE BOARD, IF THE ADMINISTRATIVE OFFICES OF THE SCHOOL SYSTEM ARE NOT OPEN DURING ITS REGULAR HOURS ON THE LAST DAY OF THE PERIOD, THE DOCUMENTS SHALL BE FILED ON THE NEXT DAY THEREAFTER WHEN ADMINISTRATIVE OFFICES ARE SO OPEN.

D. MAILING OF NOTICES AND DECISIONS

1. IN ALL HEARINGS PROVIDED FOR HEREIN, WHERE A PARTY IN INTEREST IS REPRESENTED BY COUNSEL, AN ADVOCATE OR ASSOCIATION/UNION OFFICIAL, ALL NOTICES AND MAILINGS REQUIRED BY THE BOARD SHALL BE SENT TO THE PARTY'S DESIGNATED REPRESENTATIVE AND SUCH MAILING SHALL CONSTITUTE OFFICIAL NOTICE TO THE PARTY.

E. COMPLIANCE

1. IF AN APPEAL IS NOT FILED WITHIN THE TIME PERIODS SET FORTH ABOVE OR IF AN APPELLANT FAILS TO APPEAR AT A SCHEDULED HEARING, SUCH FAILURE SHALL CONSTITUTE SUFFICIENT GROUNDS FOR THE BOARD TO DISMISS AN APPEAL.

[1. Whenever a person exercises his/her right of appeal from any decision of the Superintendent to the Board of Education of Baltimore County (Board), the following procedures will be employed:

- a. When an appeal is made and a hearing is granted by the Board to an employee under the authority of Section 4-205 (c) or Section 6-202 of the Education Article, or in an appeal in which a personnel matter is at issue, the party appealing shall be notified of his/her option of appearing in executive or regular session.

- b. When the appeal is made by a student who has been suspended or expelled, the provisions and procedures of Policy 5560 shall apply and will supersede items 2 and 3 below.
- c. All other appeals or hearings before the Board shall be in public session.]

VI. EVIDENTIARY HEARINGS

A. APPLICABILITY

- 1. THE PROVISIONS OF THIS PARAGRAPH APPLY TO EVIDENTIARY HEARINGS BEFORE THE BOARD UNLESS OTHERWISE INDICATED.
- 2. THE STRICT RULES OF EVIDENCE SHALL NOT APPLY TO HEARINGS CONDUCTED BEFORE THE BOARD.
- 3. ALL TESTIMONY SHALL BE GIVEN UNDER OATH.
- 4. HEARINGS WILL NOT BE HELD IN A PUBLIC SESSION OF THE BOARD, UNLESS THE APPELLANT AND THE SUPERINTENDENT AGREE IN ADVANCE, IN WRITING, OR ON THE RECORD THAT THE HEARING BE PUBLIC.

B. NOTICE

- 1. THE BOARD WILL PROVIDE WRITTEN NOTICE OF THE DATE, TIME, AND LOCATION OF HEARING TO ALL PARTIES. [2. The party shall be notified of the date, time, and place of any hearing. He/she shall be informed that he/she may appear with or without counsel. He/she shall be invited to submit in writing any particulars related to the case which he/she wishes the Board members to have an opportunity to study in advance. It is inappropriate for a member of the Board to discuss the case with the aggrieved party or his/her representative prior to the hearing.]

C. REPRESENTATION

- 1. ALL PARTIES HAVE THE RIGHT TO APPEAR IN PERSON AT THE HEARING OR WITH HIS/HER DESIGNATED REPRESENTATIVE.
- 2. ALL PARTIES HAVE THE RIGHT TO BE ACCOMPANIED, REPRESENTED, AND ADVISED BY COUNSEL.

D. PROCEDURES

- 1. THE PARTY MAY SUBMIT IN WRITING ANY PARTICULARS RELATED TO THE CASE WHICH HE/SHE WISHES THE BOARD MEMBERS TO HAVE AN OPPORTUNITY TO STUDY IN ADVANCE. THE BOARD WILL FORWARD A COPY OF

ALL DOCUMENTS PROVIDED BY THE APPELLANT TO THE SUPERINTENDENT.

2. [3.] The Superintendent may send to members of the Board any particulars related to the case which he/she wishes the Board members to have an opportunity to study prior to the hearing, with a copy to the aggrieved person or his/her attorney. The Superintendent shall not discuss the case with any member of the Board prior to the hearing.
3. THE PRESIDING OFFICER SHALL HAVE CHARGE OF THE HEARING WITH AUTHORITY TO PERMIT THE EXAMINATION OF WITNESSES, ADMIT EVIDENCE, RULE ON ADMISSIBILITY OF EVIDENCE, AND ADJOURN OR RECESS THE HEARING.
4. The Superintendent shall PREPARE [provide] a stenographic or electronic record of any hearing.
[5. The Superintendent shall be represented at the hearing by designated staff members from the Office of Law.]
5. [6.]Both sides in any hearing shall be given adequate time, in the judgment of the Board, for presentation of facts. Cross-examination shall be permitted, and representatives of both sides shall be given adequate opportunity for rebuttal.

VII. ORAL ARGUMENT BEFORE THE BOARD

A. APPLICABILITY

1. THE PROVISIONS OF THIS PARAGRAPH APPLY TO REQUESTS FOR ORAL ARGUMENT FROM A RECOMMENDATION RENDERED BY A BOARD HEARING EXAMINER.
2. THE STRICT RULES OF EVIDENCE SHALL NOT APPLY TO HEARINGS CONDUCTED BEFORE THE BOARD.
3. ALL TESTIMONY SHALL BE GIVEN UNDER OATH.
4. HEARINGS WILL NOT BE HELD IN A PUBLIC SESSION OF THE BOARD, UNLESS THE APPELLANT AND THE SUPERINTENDENT AGREE IN ADVANCE, IN WRITING, OR ON THE RECORD THAT THE HEARING BE PUBLIC.

- B. THE BOARD'S SCHEDULER SHALL PREPARE OR CAUSE TO BE PREPARED AN OFFICIAL RECORD, WHICH SHALL INCLUDE ALL PLEADINGS, TESTIMONY, EXHIBITS, AND OTHER MEMORANDA OR MATERIAL FILED IN THE PROCEEDINGS AND PROVIDE

SAME TO EACH BOARD MEMBER PRIOR TO THE SCHEDULED ORAL ARGUMENT.

- C. ORAL ARGUMENT SHALL BE LIMITED TO FIFTEEN (15) MINUTES PER SIDE UNLESS THE BOARD INDICATES OTHERWISE.
- D. NO ADDITIONAL EVIDENCE NOT CONTAINED IN THE RECORD OF THE HEARING WILL BE CONSIDERED BY THE BOARD.

VIII. DECISION BY THE BOARD

- A. [7.] The Board shall deliberate on the facts and testimony presented at the hearing.
- B. FORMAL ACTION OF THE BOARD WILL BE TAKEN PUBLICLY AT A BOARD MEETING [The Board shall render a decision on the case in regular session.]
- C. [8.] The Board shall notify the parties in writing of the decision of the Board.
 - 1. EACH OPINION AND ORDER OF THE BOARD SHALL BE MAILED IN WRITING TO ALL PARTIES.
 - 2. THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION SHALL ACCOMPANY THE OPINION AND ORDER WHEN APPLICABLE.

IX. APPEAL OF BOARD'S DECISION TO STATE BOARD

DECISIONS OF THE BOARD MAY BE APPEALED TO THE MARYLAND STATE BOARD OF EDUCATION IN ACCORDANCE WITH THAT AGENCY'S PROCEDURES AND TIME LINES.

Legal References: *Annotated Code of Maryland*, Education Article §4-205, *POWERS AND DUTIES OF COUNTY SUPERINTENDENT*.
Annotated Code of Maryland, Education Article §6-202, *SUSPENSION AND DISMISSAL OF TEACHERS, PRINCIPALS AND OTHER PROFESSIONAL PERSONNEL*.
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-203, *HEARING EXAMINER IN CERTAIN COUNTIES AND BALTIMORE CITY*.
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-305, *SUSPENSION AND EXPULSION*.

POLICY 8340

COMAR 13A.01.05 [13A.01.05.02], *APPEALS TO THE STATE BOARD OF EDUCATION*

COMAR 13A.05.09.07, *DISPUTE RESOLUTION*

Related Policies: BOARD OF EDUCATION POLICY 1300, *USE OF SCHOOL FACILITIES*

BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS, ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR EXPULSIONS*

Board of Education Policy 8341 [8339], *APPEAL BEFORE A HEARING EXAMINER*

Policy

Board of Education of Baltimore County

Adopted: 04/13/72

Revised: 08/19/82

Revised: 02/21/85

Revised: 04/08/08

REVISED: _____

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED FY 2013 STATE CAPITAL BUDGET REQUEST**

ORIGINATOR: Dr. Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer, Department of Fiscal Services
Michael G. Sines, Executive Director, Department of Physical Facilities
Kara Calder, Executive Director, Department of Planning and Support

RECOMMENDATION

That the Board of Education approves the superintendent's proposed FY 2013 state capital budget recommendations. The budget was introduced at the August 9, 2011, Board meeting and discussed at the Board work session on August 23, 2011. The state-requested projects require county matching funds be verified before final state approval.

Attachment I – Proposed FY 2013 State Capital Budget Request by Priority Order
Attachment II – Capital Planning Priorities and Recommended Timelines

Baltimore County Public Schools				Attachment I		
Proposed FY 2013 State Capital Budget Request by Priority Order						
September 6, 2011						
Priority Order	School	Project	Type of Approval Requested	Previous State Funding	State Funding to be Requested	Cumulative Total
1	Dundalk and Sollers Point HS	New Construction	Funding	\$12,006,000	\$18,462,000	\$18,462,000
2	Milford Mill Academy	Limited Renovation & Addition	Funding	4,820,000	2,434,000	20,896,000
3	Parkville HS	Limited Renovation & Addition	Funding	8,739,000	1,715,000	22,611,000
4	Seven Oaks ES	Roof Replacement	Funding	250,000	552,000	23,163,000
5	Stoneleigh ES	Renovation & Addition	Funding		6,259,000	29,422,000
6	Lansdowne HS	Window/Ext Door Replacement	Funding		2,200,000	31,622,000
7	Lutherville Area ES	New School	Planning		0	31,622,000
8	Overlea HS	Window/Ext Door Replacement	Funding		1,100,000	32,722,000
9	Hereford HS	Renovation & Addition	Planning		0	32,722,000
10	Lutherville Area ES	New School	Funding		9,332,000	42,054,000
11	Woodlawn HS	Roof Replacement	Funding		1,528,000	43,582,000
12	Patapsco HS	Window/Ext Door Repl/Masonry Refurb	Funding		1,671,000	45,253,000
13	Hereford HS	Renovation & Addition	Funding		21,744,000	66,997,000
14	Parkville MS	Boiler Replacement	Funding		256,000	67,253,000
15	Jacksonville ES	Roof Replacement	Funding		474,000	67,727,000
16	Hereford HS	Roof Replacement	Funding		1,391,000	69,118,000
17	Pikesville HS	Window/Ext Door Replacement	Funding		1,500,000	70,618,000
18	Hawthorne ES	Roof Replacement	Funding		571,000	71,189,000
19	Franklin HS	Roof Replacement	Funding		1,979,000	73,168,000
20	Grange ES	Roof Replacement	Funding		806,000	73,974,000
21	Randallstown HS	Window/Ext Door Replacement	Funding		825,000	74,799,000

Capital Planning Priorities and Recommended Timelines FY 2013 - FY 2017

PLANNING REGION	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
SOUTHWEST					
NORTHWEST		NW Area Elementary Seats *	NW Area Elementary Seats *		
CENTRAL	200 seats Stoneleigh ES				
CENTRAL	700 seats in Lutherville Area				
CENTRAL	200 seats and limited renovation at Hereford HS				
CENTRAL			200 seats Sparks ES	200 seats Sparks ES	
NORTHEAST					
SOUTHEAST					

Project Phase
Planning
Funding

Lutherville Area - Lutherville ES, Pinewood ES, Pot Spring ES, Padonia, ES, Timonium ES, Riderwood ES, West Towson ES
* Study to be commissioned in FY12

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

September 6, 2011

RETIREMENTS

<u>NAME</u>	<u>POSITION</u>	<u>SCHOOL/OFFICE</u>	<u>YRS. OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Brenda Alesci	Paraeducator	Catonsville High	11.7	07/01/11
Esther Blow	Bus Attendant	Transportation	5.5	07/01/11
Carol Mainolfi	Classroom Teacher	Halstead Academy	12.0	07/01/11
Patricia McVey	Paraeducator	Perry Hall High	17.0	08/01/11
Suzanne Meier	Paraeducator	Carver Center Arts Tech	5.5	07/01/11
Vernon Miller	Bus Attendant	Transportation	8.0	07/01/11
Louis Rusk	Music Teacher	Franklin High	31.5	07/01/11
Barbara Schneider	Classroom Teacher	Oakleigh Elementary	31.5	07/01/11
Marcy Sherry	Reading Specialist	White Oak School	16.3	09/01/11
L. Kevin Wagman	Vocational	Owings Mills High	31.0	07/01/11

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

September 6, 2011

RESIGNATIONS

ELEMENTARY – 19

Carroll Manor Elementary School

Madeline Eberhardt, 06/30/11, 2.0 yrs.
Grade 3

Catonsville Elementary School

April C. Coberth, 06/30/11, 3.0 yrs.
Grade 4

Charlesmont Elementary School

Jane M. Losinger, 06/30/11, 8.0 yrs.
Resource Teacher

Dogwood Elementary School

Melissa M. White, 06/30/11, 3.0 yrs.
Kindergarten

Edmondson Heights Elementary School

Catherine M. Stephis, 06/30/11, 2.0 yrs., 3.0 mos.
Art

Danielle Y. Williams, 06/30/11, 1.0 yr.
Guidance

Elmwood Elementary School

Laura M. Drab, 06/30/11, 13.0 yrs.
Technology Integration

Halethorpe Elementary School

Kathy J. Nickelson, 06/30/11, 5.0 yrs.
Grade 4

Halstead Academy

Leslie R. Green, 12/20/11, 10 yrs., 4.0 mos.
Library Science Media

Hawthorne Elementary School

Jennifer L. Sawyer, 06/30/11, 2.0 yrs.
Kindergarten

Hernwood Elementary School

Tracy P. Youngman, 06/30/11, 16.0 yrs.
Resource Teacher

Hillcrest Elementary School

Tera L. Parsons, 06/30/11, 6.0 yrs.
Grade 3

Imagine Discovery Elementary Charter

Melanie T. Diggs, 06/30/11, 1.0 yr., 7.0 mos.
Library Science Media

Stacey M. Royal, 06/30/11, 3.0 yrs.
Science

Mars Estates Elementary School

Shelly R. Huggins, 06/30/11, 3.0 yrs.
Reading

New Town Elementary School

Courtney L. Greer, 06/30/11, 2.0 yrs., 5.0 mos.
Grade 1

Owings Mills Elementary School

Robert A. Keck, 06/30/11, 1.0 yr.
Music – Vocal

Reisterstown Elementary School

Valerie G. Marucci, 06/30/11, 4.0 yrs.
ESOL

Seven Oaks Elementary School

Jessica L. Hyle, 06/30/11, 4.0 yrs.
Special Education – Self-Contained

SECONDARY – 28

Catonsville High School

Jared M. Byrnes, 06/30/11, 5.0 yrs.
Social Studies

Paige Walker, 06/30/11, 9.0 yrs.
Science

Crossroads Center

Daryl E. Wertz, 06/30/11, 5.0 yrs.
Science

Deep Creek Middle School

Dawn L. Currie-Scott, 06/30/11, 14.0 yrs.
Library Science Media

Deer Park Middle Magnet School

Noah C. Krzan, 06/30/11, 1.0 yr.
Mathematics

Eastern Technical High School

Miriam Arminio, 06/30/11, 9.0 yrs.
Spanish

Jessica N. Marino, 06/30/11, 5.0 yrs.
Mathematics

Franklin Middle School

Heather J. Feldman, 06/30/11, 7.0 yrs.
Mathematics

Teresa M. Hopkins, 06/30/11, 9.0 yrs.
Guidance

Franklin High School

Vicki L. Gabbert, 06/30/11, 1.0 yr., 6.0 mos.
Science

Julie A. Trite, 06/30/11, 6.0 yrs.
Spanish

Golden Ring Middle School

Karen L. Shearman, 06/30/11, 4.0 yrs.
Mathematics

Kenwood High School

Irene Somyk, 06/30/11, 1.0 yr.
Chinese

Lansdowne High School

Samuel C. Llewellyn, 06/30/11, 12.0 yrs.
Art

Jessica A. McCrane, 06/30/11, 3.0 yrs.
Spanish

Loch Raven Technical Academy

Matthew Martello, 06/30/11, 7.0 yrs.
Mathematics

Edilberto F. Perez, 06/30/11, 2.0 yrs.
Spanish

Overlea High School

Deborah A. Kiblin, 06/30/11, 5.0 yrs.
Science

Parkville High School

Elizabeth A. Rivas, 06/30/11, 2.0 yrs., 7.0 mos.
Spanish

Perry Hall High School

Amber S. Fischioni, 06/30/11, 2.0 yrs.
Special Education – Self-Contained

Santina Jannotti, 06/30/11, 4.0 yrs.
English

Pikesville High School

Nicole M. Barbato, 06/30/11, 5.0 yrs.
Spanish

Sollers Point Tehnical High School

John F. Lyons, 06/30/11, 3.0 yrs., 5.0 mos.
Vocational

Sudbrook Magnet Middle School

Elicia N. Frazier, 06/30/11, 6.0 yrs.
Art

Windsor Mill Middle School

Twyla D. Ritter, 06/30/11. 1.0 yr., 4.0 mos.
Special Education – Self-Contained

Woodlawn Middle School

Selwyn D. Finch, 06/30/11, 2.0 yrs., 3.0 mos.
Special Education – Self-Contained

Tiffany A. Gelardi, 06/30/11, 2.0 yrs.
Mathematics

Woodlawn High School

Rebecca J. Decker, 06/30/11, 3.0 yrs.
English

CENTRAL OFFICE – 3Special Programs Prek-12

Melanie L. Carter, 06/30/11, 20.0 yrs.
Resource Teacher

Student Support Services – SW Area

Gwendolyn M. Henderson, 08/12/11, 3.0 mos.
Pupil Personnel Worker

Transportation

John Lang, 08/26/11, 4.0 yrs.
Senior Operations Supervisor

SEPARATION FROM LEAVE – 2

Monica Joshi, granted Academic Leave of Absence, 07/01/10-06/30/11, resigning 6/30/11, 5.0 yrs.
Kari L. Richmond, granted Child Rearing Leave, 01/07/09-06/30/11, resigning 06/30/11, 13.0 yrs.

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

September 6, 2011

LEAVES

CHILD REARING LEAVES

EMILY K. DONOHUE – (English) – Dundalk High School
Effective August 30, 2011 through August 30, 2013

ERICA E. KENSINGER – (Elementary) – Chatsworth School
Effective August 23, 2011 through August 23, 2013

RACHEL S. MAYS – (English) – Home and Hospital
Effective August 27, 2011 through August 23, 2013

UNUSUAL AND IMPERATIVE LEAVE

DA’NALL T. WILMER – (Paraeducator) – Randallstown Elementary School
Effective January 3, 2012 through June 30, 2012

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Joe A. Hairston, Superintendent

SUBJECT: **APPOINTMENT FOR THE ETHICS REVIEW PANEL**

ORIGINATOR: Carol R. Batoff, Ombudsman/Administrative Liaison for the Ethics Review Panel

PERSON(S):

RECOMMENDATION

That the Board of Education reappoints Raymond A. Hein, Esq., to the Ethics Review Panel.

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

RECOMMENDED APPOINTMENTS

September 6, 2011

NAME

FROM

TO

KAIA STEVENS

(Effective September 7, 2011)

Teacher/Classroom

Johnnycake Elementary School

Assistant Principal

Bedford Elementary School

(Replacing Delores Tedeschi-Butler, promoted to Principal, Meadowood Education Center)

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: September 6, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

RE: **RECOMMENDATIONS FOR AWARD OF CONTRACTS**

ORIGINATOR: Dr. Renee A. Foose, Deputy Superintendent

PERSON(S): Rick Gay, Manager, Office of Purchasing
Michael G. 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 – September 6, 2011**

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

- 1. Contract Assignment:** Printing and Reproduction Services
Contract #: MBU-536-10

Term: N/A **Extension:** N/A **Contract Ending Date:** 8/31/19
Estimated total award value: \$ N/A
Estimated modification amount: \$ N/A
New estimated total award value: \$ N/A

Board meeting date: September 6, 2011

Description:

On August 10, 2010, the Board approved this contract. The contract consists of copy, print, and reproduction services to include promotional items and student planners. The award of items included in the solicitation provided the resources necessary to accomplish all printing, copying, and reproducing services that could not be provided by BCPS Copy and Printing Services.

The award vendor for business cards was Business Cards Express. Effective July 11, 2011, Business Cards Express was purchased by Xpress Business Cards. The printing of business cards for BCPS, therefore, has been assigned to Xpress Business Cards. All current terms, conditions, and pricing remain in effect.

Recommendation:

Award of contract assignment is recommended to:

Xpress Business Cards

Windsor Mill, MD

Responsible school or office:

Department of Fiscal Services

Contact person:

Barbara Burnopp

Funding source:

Operating budget

2. Contract Extension: AVID-Based Schools Tutoring Program
Contract #: JN1-725-09

Term: N/A **Extension:** 5 years **Contract Ending Date:** 10/31/16
Estimated total award value: \$ 750,000

Board meeting date: September 6, 2011

Description:

On October 7, 2008, the Board approved a three-year contract with Civic Works to provide college tutors for AVID students. A qualified college tutor is an integral component of the AVID program, whose mission is to increase students' access to rigorous courses and to prepare students for college readiness.

Civic Works will provide 40 college tutors to work in 22 AVID high schools and 8 middle schools. Each tutor will provide 675 hours for a total of 27,000 hours. The college tutors' responsibilities include: in-class and tutorial academic support; validating students' application of AVID strategies in all classes; checking for organized AVID notebooks; shadowing AVID students in other classes; assisting in monitoring student behavior in classes; assisting in chaperoning students on college tours; coaching regarding college readiness and college standards for success; and other support for AVID program activities.

For school year 2010-2011, ninety-four percent, or 367, AVID Grade 12 students received college acceptance letters.

Recommendation:

Award of contract extension is recommended to:

Civic Works

Baltimore, MD

Responsible school or office:

Department of Liberal Arts

Contact person:

Sonja Karwacki

Funding source:

Operating budget

3. Contract Extension: Curriculum for Environmental and Character Development Education

Contract #: RGA-127-11

Term: N/A **Extension:** 3 years **Contract Ending Date:** 6/30/14
Estimated total award value: \$ 350,000

Board meeting date: September 6, 2011

Description:

On October 5, 2010, the Board approved this contract. The contract consisted of providing a five-day/four-night residential environmental and character education experience for approximately 1,560 Grade 6 students from Windsor Mill, Southwest Academy, Stemmers Run, Middle River, Dundalk, Old Court, Deep Creek, Golden Ring, Holabird, Lansdowne, Loch Raven, and Deer Park middle schools.

The program allows for real-life opportunities to apply principles of environmental science as well as team building and character development as central components of the experience. It is anticipated that students participating in the project will earn MSDE-required service learning hours at an accelerated rate. Additionally, participation in character development activities is expected to decrease disciplinary infractions.

Recommendation:

Award of contract extension is recommended to:

Northbay LLC

North East, MD

Responsible school or office:

Division of Curriculum and Instruction

Contact person:

Dr. Roger Plunkett

Funding source:

Operating budget

4. Contract Extension: Project SEED
Contract #: RGA-178-06

Term: N/A **Extension:** 5 years **Contract Ending Date:** 8/31/16
Estimated total award value: \$ 2,362,500

Board meeting date: September 6, 2011

Description:

This contract consists of providing professional development, coaching, and instruction in Grades 3, 4, and 5 mathematics classrooms in elementary schools for Project SEED. Project SEED is a nonprofit organization that works in partnership with a school district to use mathematics to increase the educational opportunities for low-achieving students and mathematical-content awareness for all students. The original contract was approved by the Board on February 14, 2006, for three years with an extension approved on July 8, 2008, for two years, and an additional extension approved on August 10, 2010, for one year. The program is being extended for five years through August 2016 to continue to provide comprehensive professional development in mathematics and in strategies for delivery that align and exceed the cognitive rigor of the state curriculum. In addition to work throughout the school year, this contract would provide the opportunity for the Project SEED mathematicians to present a two-week professional development institute for teachers at identified schools.

An evaluation for Project SEED was presented to the Board on March 23, 2010, to reflect a study done through the Weinberg Foundation and the Department of Research, Accountability and Assessment for the school year 2008-2009. This report can be found at <http://www.bcps.org/board/exhibits/2010/032310exhibit.pdf>. Evaluation data will continue to be collected from all participating schools to provide information on program effectiveness.

Recommendation:

Award of contract extension is recommended to:

Project SEED, Inc.

Berkeley, CA

Responsible school or office:

Department of Science, Technology,
Engineering, and Mathematics

Contact person:

Dr. John Quinn

Funding source:

Operating budget and Title II funds

5. Contract Extension: U.S. Hispanic Youth Entrepreneur Education (USHYEE) –
Memorandum of Understanding
Contract #: RGA-169-10

Term: N/A **Extension:** 3 years **Contract Ending Date:** 6/30/14
Estimated total award value: \$ 185,000

Board meeting date: September 6, 2011

Description:

On June 15, 2010, the Board approved this contract. The purpose was to enter into a Memorandum of Understanding (MOU) with U.S. Hispanic Youth Entrepreneur Education (USHYEE) to pilot a program aimed at Latino youth to increase the high-school-to-college continuum, develop leaders, and encourage youth to give back to the community. The program provides after-school programs at Lansdowne, Woodlawn, and Owings Mills high schools. The Office of Special Programs would like to continue the program.

The USHYEE supports the BCPS *Blueprint for Progress* – Performance Goal 1, *By 2012, all students will reach high standards, as established by the Baltimore County Public Schools and state performance level standards, in reading/language arts, mathematics, science, and social studies*, and Performance Goal 5, *All students will graduate from high school*.

Recommendation:

Award of contract extension is recommended to:

U.S. Hispanic Youth Entrepreneur Education Baltimore, MD

Responsible school or office: Division of Curriculum and Instruction

Contact person: Dr. Roger Plunkett

Funding source: Operating budget

6. Contract: Cohort – School Library Media XIV, Instructional Technology
Contract #: RGA-947-12

Term: 4 years **Extension:** N/A **Contract Ending Date:** 12/31/15
Estimated total award value: \$ 225,000

Board meeting date: September 6, 2011
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 is for a cohort program to provide 36 graduate credit hours in school library media/instructional technology coursework, beginning the spring semester of 2012 and concluding in the fall semester of 2015, leading to master of science degree. Enrollment is open to all teachers with a maximum of 25 participants.

There is a need to provide highly qualified school library media specialists to focus on the delivery of 21st century learning instruction, information and technology learning competencies, reading achievement, and extending student learning in all curricular content areas.

Recommendation:

Award of contract is recommended to:

Towson University	Towson, MD
Responsible school or office:	Department of Professional Development
Contact person:	William Burke
Funding source:	Operating budget

7. Contract: Electricity Acquiring Agent
Contract #: PCR-230-11 (Baltimore Regional Cooperative Purchasing Committee #P-030)

Term: 1 year **Extension:** 4 years **Contract Ending Date:** 12/31/16
Estimated total award value: \$ 775,000

Board meeting date: September 6, 2011
Bid issued: June 29, 2010
Pre-bid meeting date: July 13, 2010
Due date: August 19, 2010
No. of vendors issued to: 7
No. of bids received: 7
No. of no-bids received: 0

Description:

This contract is for a retail supplier, licensed by the Public Service Commission, to act as the Baltimore Regional Cooperative Purchasing Committee's (BRCPC) agent in buying electricity on the wholesale market. The BRCPC conducted a request for proposals through Baltimore County Government on behalf of all participants in the consortium. This contract replaces a similar contract BRCPC has held with PEPCO for the past six years and provides for the continued purchase of electricity. The award bidder acts as the agent for BRCPC and performs purchasing transactions for hourly pricing and wholesale fixed-rate block markets through the Pennsylvania-Jersey-Maryland Interconnection (PJM).

Recommendation:

Award of contract is recommended to:

Washington Gas

Herndon, VA

Responsible school or office:

Department of Physical Facilities

Contact person:

Michael J. Sines

Funding source:

Operating budget

8. Contract: Employee Benefits Consultant
Contract #: RGA-102-12 (Baltimore County Government Master Agreement #1360)

Term: 2 years **Extension:** 2 years **Contract Ending Date:** 8/31/15
Estimated total award value: \$ \$240,000

Board meeting date: September 6, 2011
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 public school systems' benefit consultant services that are required to assist the Office of Benefits, Leaves, and Retirements to analyze benefit cost data associated with benefit plan designs on an as-needed basis.

Board of Education Policy 3210 and §5-112, Paragraph (3) of the Education Article of the Annotated Code of Maryland 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.

Recommendation:

Award of contract is recommended to:

Bolton Partners, Inc.	Baltimore, MD
Responsible school or office:	Human Resources
Contact person:	Dr. Donald Peccia
Funding source:	Operating budget

9. Contract: Information Technology Contracted Staffing Services
Contract #: JMI-620-11

Term: 5 years **Extension:** N/A **Contract Ending Date:** 8/31/16
Estimated total award value: \$ 900,000

Board meeting date: September 6, 2011
Bid issued: January 13, 2011
Pre-bid meeting date: N/A
Due date: February 10, 2011
No. of vendors issued to: 187
No. of bids received: 56
No. of no-bids received: 2

Description:

This contract consists of providing skilled labor to perform specialized software support services on an as-needed basis. The on-call contract establishes providers for SharePoint engineer/administrator, SharePoint architect/lead developer, and SharePoint developer. Technical personnel assigned under this contract shall work under BCPS direction, control, and supervision. Award bidders have met qualification criteria that include experience, past performance, and quality of resources.

Recommendation:

Award of contract is recommended to:

22nd Century Technologies, Inc.	Somerset, NJ
Advanced Software Systems, Inc.	Sterling, VA
Business Integra, Inc.	Greenbelt, MD
ClarusTec, Inc.	Edison, NJ
Colossus Consulting LLC, dba Liquid Mercury Solutions	Baltimore, MD
Dell Marketing, L.P.	Round Rock, TX
Elegant Enterprise-Wide Solutions, Inc.	Chantilly, VA
GANTECH, Inc.	Columbia, MD
Planet Technologies	Germantown, MD
RDA Corporation	Hunt Valley, MD
Science Applications International Corp.	Columbia, MD
Sigman & Summerfield Associates, Inc.	Towson, MD
Software Consortium	Baltimore, MD
Sogeti, USA LLC	Owings Mills, MD

Responsible school or office: Department of Technology

Contact person: Barbara Burnopp

Funding source: Operating budget

10. Contract: Pixie Software Licenses
Contract #: PCR-232-11 (Region 3 Education Service Center, Victoria, TX #E-124AB)

Term: 5 years **Extension:** N/A **Contract Ending Date:** 9/30/16
Estimated total award value: \$ 350,000

Board meeting date: September 6, 2011
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 upgrades and additional licenses for the Pixie software that has been successfully used in our elementary and middle schools since switching from HyperStudio in early 2002. The original Pixie application was a simple drawing program that saved individual pictures and showed them as slide shows. The Pixie upgrades include:

- Real-time project collaboration and cooperation skills so that teams of students can work on projects at the same time.
- Students can import pages from files that were created in other programs such as Microsoft Office Word.
- Students can create sophisticated projects such as digital stories that contain multiple pages.
- On touch-sensitive displays, interactive whiteboards, and interactive projectors, students can use their fingers as a mouse with the new touch interface.

Board of Education Policy 3210 and §5-112, Paragraph (3) of the Education Article of the Annotated Code of Maryland 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.

Recommendation:

Award of contract is recommended to:

Tech4Learning

San Diego, CA

Responsible school or office:

Department of Science, Technology,
Engineering, and Mathematics

Contact person:

Dr. John Quinn

Funding source:

Operating budget

11. Contract: STEM Alliance Development
Contract #: RGA-106-12

Term: 1 year **Extension:** N/A **Contract Ending Date:** 6/30/12
Estimated total award value: \$ 40,000

Board meeting date: September 6, 2011
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:

The purpose of this contract is to obtain consulting services from Nicodemus Communications Group LLC in an effort to further develop the Science, Technology, Engineering, and Mathematics (STEM) Alliance, a coalition of Baltimore County Public Schools, the Community College of Baltimore County, four-year universities, businesses, and government and community organizations that will make Maryland the national leader in STEM education, STEM workforce development, and STEM-based economic growth and job creation. The project has two phases. Phase I was completed during FY 2011. Phase II is now ready to begin and will allow further structuring and development of the partnership model as well as the required planning and preparation work for the STEM Symposium scheduled for December 1, 2011. Nicodemus Communications Group LLC will also coordinate production logistics for the STEM Symposium, develop presentation outlines and talking points for speakers, and create presentation videos and other materials, as well as provide continued research and outreach to perspective business partners. The cost of Phase II will take the total value of the contract above the statutory limit and therefore requires board approval to continue.

Recommendation:

Award of contract is recommended to:

Nicodemus Communications Group LLC Baltimore, MD

Responsible school or office: Department of Science, Technology, Engineering, and Mathematics

Contact person: Dr. John Quinn

Funding source: Curriculum and Instruction budget

12. Contract Modification: Flooring Replacement – Hebbville Elementary School
Contract #: MWE-833-11

Term:	N/A	Extension:	N/A	Contract Ending Date:	N/A
Original contract amount:				\$	278,411
Current approved modification amount:				\$	27,841
Requested increase to modification amount:				\$	5,568
New estimated total contract value:				\$	311,820

Board meeting date: September 6, 2011

Description:

On May 10, 2011, the Board approved this contract.

Due to unforeseen existing site conditions, abatement, industrial hygienist consultation, and substrate patching activities, this contract has exceeded original cost estimates requiring the contingency to be increased from 10% to 12%.

Recommendation:

Award of contract modification is recommended to:

MOST, Inc.

Baltimore, MD

Responsible school or office:

Department of Physical Facilities

Contact person:

Michael G. Sines

Funding source:

Aging School Program (ASP)

13. Contract: Replacement of Boilers – Cockeysville Service Center
Contract #: JNI-761-12

Term:	N/A	Extension:	N/A	Contract Ending Date:	N/A
Estimated annual award value:		\$		234,750	
Estimated contingency amount:		\$		23,475	
Estimated total award value:		\$		258,225	

Board meeting date:	September 6, 2011
Bid issued:	June 30, 2011
Pre-bid meeting date:	July 7, 2011
Due date:	July 26, 2011
No. of vendors issued to:	11
No. of bids received:	7
No. of no-bids received:	0

Description:

This project consists of the removal and replacement of two (2) existing hot water boilers, boiler related piping, valves, and controls.

Recommendation:

Award of contract is recommended to:

Chasney & Co., Inc.

Baltimore, MD

Responsible school or office:

Department of Physical Facilities

Contact person:

Michael G. Sines

Funding source:

Capital budget

Contract: Replacement of the Boilers at Cockeysville Service Center
Contract #: JNI-761-12

	Bidders' Names			
	Chasney and Company, Inc.	M&M Welding and Fabricators, Inc.	Hurley Company	East Cost Welding and Construction Co., Inc.
Total Base Bid consisting of the cost of asbestos abatement, demolition, and new construction, including the related architectural, mechanical, electrical, and other required incidentals to the project. Also, includes the following allowances(s): \$5,000 for Industrial Hygienist Services & \$8,000 for Asbestos Abatement.	\$234,750	\$250,353	\$258,975	\$274,641

	Bidders' Names		
	American Combustion Industries Inc.	Denver-Elek Inc.	Temp Air Co., Inc.
Total Base Bid consisting of the cost of asbestos abatement, demolition, and new construction, including the related architectural, mechanical, electrical, and other required incidentals to the project. Also, includes the following allowances(s): \$5,000 for Industrial Hygienist Services & \$8,000 for Asbestos Abatement.	\$284,350	\$306,600	\$343,500

14. Contract: Replacement of Windows, Blinds, and Doors – Lutherville Laboratory Elementary School
Contract #: JMI-601-12

Term:	N/A	Extension:	N/A	Contract Ending Date:	N/A
Estimated annual award value:		\$		834,000	
Estimated contingency amount:		\$		83,400	
Estimated total award value:		\$		917,400	

Board meeting date:	September 6, 2011
Bid issued:	June 16, 2011
Pre-bid meeting date:	June 28, 2011
Due date:	July 21, 2011
No. of vendors issued to:	8
No. of bids received:	3
No. of no-bids received:	0

Description:

This project consists of the removal and replacement of the exterior windows, blinds, exterior doors and frames, and other associated work. This work will benefit all areas of the school with the installation of new energy-efficient aluminum window frames and energy-efficient double glazing. The doors will be replaced with new steel doors, frames, and hardware that meet all code requirements.

Recommendation:

Award of contract is recommended to:

E. Pikounis Construction Co., Inc.	Baltimore, MD
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Responsible school or office:	Department of Physical Facilities
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Contact person:	Michael G. Sines
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Funding source:	Capital budget
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Replacement of Windows, Blinds, and Doors – Lutherville Laboratory

Contract: Elementary School

Contract #: JMI-601-12

Bidders' Names			
	E. Pikounis Construction Co., Inc.	Tuckman- Barbee Construction Co., Inc.	The Mullan Contracting Company
Base Bid: Consisting of the cost of asbestos abatement, demolition, and new construction, including the related architectural, mechanical, electrical, and other requirements incidental to the project. Also, including the flooring allowance for \$15,000.00 for Industrial Hygienist Services	\$834,000	\$849,500	\$974,651

COMMUNITY RELATIONS: COMMUNICATIONS WITH THE PUBLIC

COMMUNICATIONS

I. PURPOSE

TO ESTABLISH PROCEDURES FOR UTILIZATION OF VARIOUS FORMS OF COMMUNICATION IN SUPPORT OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY'S (BOARD) COMMITMENT TO PROVIDING THE COMMUNITY WITH INFORMATION ABOUT THE BALTIMORE COUNTY PUBLIC SCHOOLS.

II. PROCEDURES

A. THE SUPERINTENDENT HAS DESIGNATED THE OFFICE OF COMMUNICATIONS WITH THE RESPONSIBILITY FOR OVERSEEING ALL INFORMATIONAL SERVICES FOR THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS).

B. THE OFFICE OF COMMUNICATIONS IS ENCOURAGED TO UTILIZE ALL AVAILABLE MEDIUMS OF COMMUNICATION TO INFORM THE PUBLIC REGARDING THE MISSION, GOALS, PROGRAMS, ACHIEVEMENTS, INTERESTS, AND NEEDS OF THE SCHOOL SYSTEM.

C. THE FOLLOWING METHODS SHOULD BE CONSIDERED WHEN COMMUNICATING WITH THE PUBLIC:

1. PREPARATION OF INFORMATIONAL MATERIALS INCLUDING RELEASES FOR NEWSPAPERS, TELEVISION, RADIO, ELECTRONIC PUBLICATIONS, PERIODICALS, AND SCHOOL-BASED WEB SITES.
2. MAINTAINING A RAPPORT WITH REPRESENTATIVES OF THE MASS MEDIA TO MAXIMIZE INFORMED AND POSITIVE COVERAGE OF SCHOOL SYSTEM ACTIVITIES.
3. DEVELOPING STANDARDS AND GUIDELINES FOR THE MAINTENANCE OF THE ELECTRONIC DISTRIBUTION OF SCHOOL SYSTEM PUBLICATIONS VIA THE SCHOOL SYSTEM'S WEB SITE.
4. COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL LAWS PERTAINING TO ALL FORMS OF COMMUNICATION AND INFORMATION DISTRIBUTION.
5. DEVELOPING AND MAINTAINING A SPEAKERS' BUREAU FOR PARENT-TEACHER (STUDENT) ASSOCIATIONS (PTSA),

BUSINESSES, GOVERNMENTAL, AND CIVIC ORGANIZATIONS.

6. COLLABORATING WITH PTSA AND OTHER GROUPS THAT SUPPORT STUDENT ACHIEVEMENT AND THE MISSION AND GOALS OF THE SCHOOL SYSTEM.
7. SCHEDULE APPEARANCES ON LOCAL TELEVISION AND RADIO PROGRAMS, AS WELL AS ON THE SCHOOL SYSTEM'S CABLE EDUCATION CHANNEL AND WEB SITE, TO DISSEMINATE INFORMATION ABOUT THE SCHOOL SYSTEM, SCHOOLS, AND STUDENT SUCCESSES.
8. PROVIDE ASSISTANCE TO PRINCIPALS AND DEPARTMENT HEADS IN DEVELOPING RESPONSES TO MEDIA INQUIRIES AND OTHER PUBLIC RELATIONS MATTERS.
9. PROVIDE ASSISTANCE TO CENTRAL STAFF ADMINISTRATORS IN COMMUNICATING WITH THE COMMUNITY AND MEDIA.

LEGAL REFERENCES: 20 U.S.C. §6301, *ET SEQ.*, *NO CHILD LEFT BEHIND ACT OF 2001*, AS AMENDED BY SECTION 1118(A)(2) OF THE *ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)*

RELATED POLICIES: BOARD OF EDUCATION POLICY 1110, *MEDIA, PUBLIC RELATIONS, EVENTS, TELEVISION AND WEB SITE*
BOARD OF EDUCATION POLICY 1200, *COMMUNITY INVOLVEMENT*
BOARD OF EDUCATION POLICY 1210, *RELATIONSHIP WITH PARENT-TEACHER (STUDENT) ASSOCIATIONS*
BOARD OF EDUCATION POLICY 1250, *PARTICIPATION IN THE LOCAL SCHOOL BY COMMUNITY MEMBERS*
BOARD OF EDUCATION POLICY 1270, *PARENT AND FAMILY INVOLVEMENT*
BOARD OF EDUCATION POLICY 4006, *TELECOMMUNICATIONS ACCESS TO ELECTRONIC INFORMATION, SERVICES AND NETWORKS*

RULE
APPROVED: _____

SUPERINTENDENT OF SCHOOLS

ADMINISTRATION: Administrative Operations

School Organization: Teacher Attendance at PTA Meetings

Teacher attendance at PTA meetings provides a vital link in promoting the total educational program to the parents. It gives an opportunity for parents and teachers to explore jointly their responsibility to their children and to public education.

Teacher involvement and attendance at PTA meetings is essentially a local school matter and should be handled in the school. Teachers should be present when the nature of the program indicates a need for their participation. When professional and personal responsibilities conflict with attendance at PTA, the problem should be resolved with the local principal.

Teachers are encourage to participate in the executive board activities of their PTA as teacher representatives and to carry a voice in the establishment of program and budget for local school PTA's.

Rule
Approved: 9/30/68]

Superintendent of Schools

ADMINISTRATION: Administrative Operations

General: Employee Suggestion Program

All employees, with the exception of the Superintendent's staff and current members of the Employee Suggestion Committee, are eligible to submit to the chairman of the committee suggestions for the improvement of the school system. All suggestions will be kept on file for two years after the submission date. An award will be presented to anyone whose suggestion is implemented within the two-year limit unless adoption of the idea clearly resulted from a basic change in conditions. Only the first suggester will be granted an award for a suggestion.

Rule
Approved: 11/3/83]

Superintendent of Schools

PERSONNEL: Professional

Temporary and Part-Time: Alternative Programs Instructors

1. Minimum Criteria for Eligibility for Alternative Programs Instructor
 - A. To be eligible for a teaching assignment, an applicant must hold a valid teacher's certificate.
 - B. Must be rated "Satisfactory" or better on last evaluation.
 - C. Preference will be given qualified applicants who have at least two (2) years' instructional experience in areas of positions being sought and are presently employed by Baltimore County Public Schools.
 - D. Preference will be given applicants who are certified in the field of requested employment.
 - E. Degree status will be considered when evaluating qualifications.
2. Additionally, each alternative program will determine particular criteria when hiring its instructors. This criteria may include but may not be limited to one or more of the following:

Interviews	Tenure Status
References	Certification
Sample Lesson Plans	Prior Evaluations
Awareness of the Unique Characteristics of the Students in Alternative Programs	Degree(s)
Successful Teaching Experience in Alternative Programs	

3. Selection Procedure
 - a. The applicant must be rated as qualified or not qualified by the alternative program's supervisors and principal as well as the applicant's day school supervisors and principals.
 - b. The applicant may request a particular assignment and a particular school, but the authority to assign rests with the Alternative Program's supervisors or administrators.

- c. All qualified applicants will be placed on a prospective instructors' list. This list will be developed for each alternative program.
 - d. Alternative instructors, when possible, shall be notified of their potential employment two (2) weeks in advance of their first class. All classes are dependent on sufficient enrollment to warrant the running of the class.
4. Evaluation of Alternative Program Instructors
- a. Alternative Program instructors shall be observed using the standards set out in the same model as the Baltimore County Public Schools uses with teachers.
 - b. Instructors will receive written reports on all observations.

Rule
Approved: 12/10/70
Revised: 10/27/77
Revised: 9/7/99]

Superintendent of Schools

PERSONNEL: Professional

Compensation and Related Employee Benefits: Salary Regulations – School Nurses

1. Salary Advancement for Nurses on Degreed Scale Employed prior to January 1, 1996

A nurse with a degree must submit thirty (30) hours of acceptable credits to be eligible for advancement on the salary schedule beyond step ten (10). A minimum of fifteen (15) credits shall be earned in graduate level course work awarded at an accredited institution. A maximum of fifteen (15) credits may be earned in undergraduate credits or credits approved by the Maryland State Department of Education. These thirty (30) credits should include completion of a planned program of thirty (30) relevant credits to the professional assignment including the following four-core courses:

- A. First Responder – Advanced Emergency Care – 2 credits minimum
- B. Special Education – 3 credits minimum

The First Responder Course and the course in Special Education must be taken within five (5) years of employment.

2. Salary Advancement for Nurses on Degreed Scale Employed After January 1, 1996

A nurse with a degree must submit thirty-six (36) hours of acceptable credits to be eligible for advancement on the salary schedule beyond step ten (10). A minimum of twenty-one (21) credits shall be earned in graduate level course work awarded at an accredited institution. A maximum of fifteen (15) credits may be in undergraduate credits or credits approved by the Maryland State Department of Education. These thirty-six (36) credits should include completion of a planned program of thirty-six (36) credits relevant to the professional assignment, including the following courses:

- A. First Responder – Advanced Emergency Care – 2 credits minimum
- B. Special Education – 3 credits minimum

The First Responder Course and the course in Special Education must be taken within five (5) years of employment.

3. A nurse failing to complete the required credits and identified courses will remain on step ten (10) until such time as the required credits and courses are completed.

Service completed while a salary step is frozen is not creditable experience for salary purposes and will not be used to compute salary placement. This applies to all steps of the salary scale, including longevity.

4. Salary Advancement for Nurses on Masters Degree Scale

A nurse on the Masters Degree scale or Masters Equivalency scale may advance to the Masters +3- or +60 salary scales by submitting additional credits for each salary lane as follows. Twelve (12) credits must be either graduate or undergraduate credits. The remaining eighteen (18) credits may include Maryland State Department of Education approved inservice credits or a combination of Maryland State Department of Education inservice credits and college level courses. Total number of undergraduate credits in the combined lanes cannot exceed eighteen (18) credits. The First Responder and Special Education courses must be taken if not already completed.

Rule

Approved: 6/12/75
Revised: 9/27/90
Revised: 3/25/93
Revised: 5/2/00]

Superintendent of Schools

PERSONNEL: Professional

Compensation and Related Employee Benefits: Tuition Reimbursement

Reimbursement is available for college credits/fees and prorated continuing education units that are directly related to an employee's assignment or that satisfy Maryland State Department of Education certification requirements. The college must be accredited by a regional accrediting body approved by the Maryland State Department of Education.

To be eligible to receive reimbursement, employees must:

- 1) Be in active service at the time of the request.
- 2) Submit a Request for Reimbursement form signed by his/her principal or appropriate administrator.
- 3) Receive a grade of "C" or better.

It is each employee's responsibility to have an official grade report, transcript, or certificate of completion (for continuing education units) sent to the Office of Certification as soon as each course is completed.

Reimbursement for completed course work will be received upon receipt of the grade report, transcript, or certificate of completion.

An employee on an approved, unpaid leave may apply for reimbursement while on leave but will not be reimbursed until he/she returns to active service.

An employee on an approved sabbatical leave will receive reimbursement while on leave.

In the event that an employee is no longer in active service, yet has fulfilled the terms of his/her contract when the official grade report, transcript, or certificate of completion is available, he/she will be reimbursed provided the coursework was completed during the time when the employee was in active service.

Rule

Superintendent of Schools

Approved: 4/21/95

Revised: 12/21/99

Edited: 07/1/11]

PERSONNEL: Classified

TERMINATION FROM EMPLOYMENT [Separation ,Voluntary and Involuntary]

I. PURPOSE

- A. IT IS THE GOAL OF BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) TO TERMINATE THE EMPLOYMENT OF CLASSIFIED EMPLOYEES AS APPROPRIATE AND NECESSARY AND IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. THIS RULE PROVIDES GUIDELINES REGARDING TERMINATION OF EMPLOYMENT FROM BCPS.
- B. THIS RULE APPLIES TO ALL CLASSIFIED EMPLOYEES.

II. DEFINITIONS

- A. *CLASSIFIED EMPLOYEE* - AN EMPLOYEE WHO PERFORMS DUTIES THAT ARE TYPICAL OF THOSE DESIGNATED AS NON-EXEMPT UNDER THE PROVISIONS OF THE FAIR LABOR STANDARDS ACT.
- B. *TERMINATION* – THE ACT OF SEVERING THE EMPLOYMENT OF AN EMPLOYEE
- C. *VOLUNTARY TERMINATION* – IS A VOLUNTARY DECISION MADE BY AN EMPLOYEE TO RESIGN HIS/HER EMPLOYMENT.
- D. *INVOLUNTARY TERMINATION* – IS A DECISION BY BCPS TO TERMINATE THE EMPLOYMENT OF AN EMPLOYEE.

II. GUIDELINES

- A. Voluntary TERMINATION [- Any employee intending to resign is expected to give adequate notice to the appropriate supervisor]
 - 1. [a.] Resignation [-Should an employee give adequate written notice the file shall be noted “resigned.”]
 - a. RESIGNATION IS A VOLUNTARY TERMINATION FROM EMPLOYMENT WITH APPROPRIATE NOTICE ON THE PART OF THE EMPLOYEE.
 - b. EMPLOYEES WHO GIVE THEIR IMMEDIATE SUPERVISOR AT LEAST TWO WEEKS’ NOTICE OF THEIR RESIGNATION SHALL HAVE THEIR FILES NOTED AS “RESIGNED.”
 - 2. [b.] Quit, Insufficient Notice

- a. AN EMPLOYEE WHO FAILS TO GIVE AT LEAST TWO WEEKS' NOTICE OF HIS/HER RESIGNATION OR LEAVES THE JOB INDICATING AN INTENTION NOT TO RETURN TO WORK SHALL HAVE THEIR FILES NOTED AS "QUIT, INSUFFICIENT NOTICE" UNLESS APPROVAL FOR A SHORTER PERIOD IS APPROVED BY HUMAN RESOURCES

[–Should the employee fail to give two (2) weeks' notice, and should the immediate supervisor not see fit to approve a short period, the employee's file shall be noted "quit, insufficient notice."]

3. [c.] Quit, Without Notice

- a. AN EMPLOYEE WHO IS ABSENT FROM WORK IS REQUIRED TO NOTIFY HIS/HER SUPERVISOR ABOUT THE ABSENCE BY THE START OF HIS/HER REGULAR WORK SCHEDULE.

- b. AN EMPLOYEE WHO IS ABSENT FOR THREE (3) CONSECUTIVE WORK DAYS WITHOUT NOTICE IS DEEMED TO HAVE QUIT WITHOUT NOTICE, SHALL BE TERMINATED FROM EMPLOYMENT, AND HIS/HER FILE SHALL BE NOTED AS "QUIT WITHOUT NOTICE."

- c. THE ASSISTANT SUPERINTENDENT, HUMAN RESOURCES SHALL HAVE THE AUTHORITY TO REINSTATE SUCH AN EMPLOYEE WHEN WARRANTED.

[–Should an employee be absent from work for three (3) consecutive workdays without notifying the appropriate supervisor as to the reason for the absence, he/she shall be considered as having "quit without notice" and the file so noted. The Director of Personnel shall have the authority to reinstate such an employee if he/she feels circumstances were such as to make it impossible for the employee to notify the supervisor.]

B. [2.] Involuntary TERMINATION

1. [a.] Termination DURING PROBATION

- a. AN EMPLOYEE MAY BE SEPARATED FROM EMPLOYMENT DURING THE PROBATIONARY PERIOD DUE TO UNACCEPTABLE PERFORMANCE OR

MISCONDUCT AND THEIR FILES SHALL BE NOTED AS "TERMINATION."

[(1) Any employee, while in the probationary period, who fails to meet the minimum standards expected of similar employees, or who fails to demonstrate a capacity to progress in an acceptable manner, shall, with the approval of the appropriate division head, be separated and the file noted "termination." Where practical to do so, the employee shall be given two (2) weeks notice. Probationary employees shall not have the right of appeal where separation is an issue.]

2. TERMINATION FOR CAUSE

a. UNSATISFACTORY JOB PERFORMANCE

(1) EMPLOYEES WHO HAVE COMPLETED THE PROBATIONARY PERIOD, BUT WHO FAIL TO MAINTAIN ACCEPTABLE PERFORMANCE STANDARDS SHALL BE NOTIFIED IN WRITING OF THE DEFICIENCY.

(2) IF AN EMPLOYEE FAILS TO CORRECT DEFICIENCIES NOTED IN THE PREFORMANCE OF HIS/HER JOB, THE EMPLOYEE MAY BE TERMINATED, AND THE FILES SHALL BE NOTED "TERMINATION."

[(2) Permanent employees who have completed their probationary period, but who have failed to maintain acceptable standards, shall be notified in writing of the deficiency, which if not corrected, might result in their termination. Continuation of the unsatisfactory condition, or a recurrence of same could, with the approval of the appropriate division head, result in the employee's separation and the file noted to read "termination."]

b. ESSENTIAL FUNCTIONS

(1) EMPLOYEES WHO ARE NOT ABLE TO SAFELY AND EFFECTIVELY PERFORM THE ESSENTIAL FUNCTIONS OF THEIR POSITION WITH OR WITHOUT ACCOMODATIONS AND WHO HAVE NOT OBTAINED ANOTHER POSITION WITHIN BCPS SHALL BE TERMINATED FROM EMPLOYMENT. THEIR FILES SHALL BE NOTED "TERMINATION."

- (2) SUCH EMPLOYEES SHALL HAVE THE OPTION OF RESIGNING OR APPLYING FOR REGULAR OR DISABILITY RETIREMENT OR VOLUNTARY LONG-TERM DISABILITY (LTD), IF APPLICABLE, PRIOR TO TERMINATION.

[(3) Any employee who has some permanent or chronic physical or mental ailment or defect that incapacitates him/her from the proper performance of his/her duty, or which represents a hazard to him/herself and or coworkers, shall be subject to separation, the file to read "termination-medical." In such cases, however, every effort will be made to locate alternate employment for the displaced worker.]

c. MISCONDUCT [b. Discharge]

- (1) EMPLOYEES ALLEGED TO HAVE ENGAGED IN BEHAVIOR THAT CONSTITUTES MISCONDUCT SHALL BE IMMEDIATELY SUSPENDED OR PLACED ON ADMINISTRATIVE LEAVE BY THE APPROPRIATE ADMINISTRATOR, OR PENDING THE INVESTIGATION OF THE CHARGES.
- (2) TERMINATION MAY BE IMMEDIATE FOR GROSS MISCONDUCT
- (3) GROSS MISCONDUCT MAY INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:
 - i. THE USE, POSSESSION, SALE, AND/OR BEING UNDER THE INFLUENCE OF ILLEGAL DRUGS, ALCOHOL, OR PRESCRIPTION MEDICATION WITHOUT A PRESCRIPTION WHILE AT WORK, WHILE ON BOARD OF EDUCATION OF BALIMORE COUNTY (BOARD)-OWNED OR LEASED PROPERTY, OR WHILE ON BOARD BUSINESS;
 - ii. DISORDERLY CONDUCT WHILE ON DUTY TO INCLUDE CREATING A DISTURBANCE, FIGHTING, THREATENING, AND/OR ATTEMPTING TO INFLICT BODILY HARM ON ANOTHER PERSON;
 - iii. THEFT AND/OR MISUSE OF BOARD FUNDS OR BOARD PROPERTY;

- iv. WILLFULLY DESTROYING OR DEFACING BOARD PROPERTY;
- v. FALSIFICATION OF RECORDS, INCLUDING EMPLOYMENT APPLICATIONS;
- vi. PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO, RECEIVES PROBATION BEFORE JUDGMENT WITH RESPECT TO, OR IS CONVICTED OF A SERIOUS CRIME, INCLUDING THOSE INVOLVING MORAL TURPITUDE.

[(1) Gross misconduct on the part of an employee shall result in immediate suspension by the appropriate administrator or supervisory personnel. Such suspensions shall be valid until such time as the appropriate division head can investigate the facts pertaining to the suspension, and based upon the findings, discharge or reinstate the alleged offender. Normally, this should take no longer than five (5) workdays. When practical, the conditions contributing to the suspension should be brought to the attention of the appropriate division head before notifying the employee. A decision to discharge an employee following a suspension and investigation of the charges can be made only by a division head, and such action shall be recorded in the file as “discharged.” Examples of gross misconduct are:

- a. Being under the influence of or possessing intoxicants or narcotics during working hours.
- b. Stealing, willfully destroying, or defacing Board of Education property.
- c. Being convicted of a criminal offense of a serious nature.
- d. Fighting or creating a disturbance.
- e. Falsifying records.

Should the allegations pertaining to the employee’s suspension prove to be unfounded, the employee shall be

reinstated with back pay for time lost. Should the suspension result in termination, however, the termination date shall be consistent with the last day worked.]

IV. ADMINISTRATIVE LEAVE OR SUSPENSION

A. ADMINISTRATIVE LEAVE

1. THE ADMINISTRATOR WHO INVESTIGATES EMPLOYEE MISCONDUCT MAY CONSIDER WHETHER REMOVING THE EMPLOYEE FROM THE WORK ENVIRONMENT BY IMPLEMENTING ADMINISTRATIVE LEAVE IS ADVISABLE IN ORDER TO INVESTIGATE THE ALLEGATION OF MISCONDUCT. THE ADMINISTRATOR MAY IMPLEMENT ADMINISTRATIVE LEAVE WITH PAY.

B. SUSPENSION

1. AN ADMINISATRATOR MAY IMMEDIATELY SUSPEND AN EMPLOYEE, WITHOUT PAY, FOR PERFORMANCE PROBLEMS THAT HAVE NOT BEEN SATISFACTORILY CORRECTED THROUGH THE USE OF ORAL OR WRITTEN REPRIMANDS OR FOR MISCONDUCT OR SERIOUS VIOLATIONS OF POLICY OR PROCEDURES.

V. DUE PROCESS [(2) Employee Recourse]

EMPLOYEES WHO MAY BE SUBJECT TO DISCIPLINARY ACTION SHALL BE AFFORDED DUE PROCESS. THE EMPLOYEE SHALL HAVE THE RIGHT TO CHALLENGE THE ACTION IN ACCORDANCE WITH BOARD THE PROCEDURES OUTLINED IN THE APPLICABLE MASTER AGREEMENTS. [Should the employee feel that the separation has been effected without just cause, he/she shall have the right to challenge the separation as a grievance, and the matter shall be handled in accordance with the appropriate procedure.]

[(3) Discipline

Disciplinary action or measures shall consist of: oral reprimand, written reprimand, suspension, and discharge. Where possible progressive discipline is to be utilized; however, where the offense is deemed to be of gross enough nature, preceding steps may be waived. Where a reprimand is in order, it should be accomplished in

a manner that will not embarrass the employee before other employees or the public.

Also see Master Agreement between Council 67/Local 434 of AFSCME< AFL-CIO and the Board of Education]

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-205, POWERS AND DUTIES OF COUNTY SUPERINTENDENT.*

RELATED POLICIES: BOARD OF EDUCATION POLICY 4001, *DRUG-FREE WORKPLACE*
BOARD OF EDUCATION POLICY 4002, *PRECEPTS, BELIEFS AND VALUES OF THE BALTIMORE COUNTY PUBLIC SCHOOLS*
BOARD OF EDUCATION POLICY 4008, *OBLIGATIONS OF THE EMPLOYEES OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY*
BOARD OF EDUCATION POLICY 4011, *MEDICAL EVALUATIONS*
BOARD OF EDUCATION POLICY 4115, *EMPLOYEE CONDUCT AND RESPONSIBILITIES*
BOARD OF EDUCATION POLICY 4300, *EVALUATIONS*
BOARD OF EDUCATION POLICY 8339, *APPEAL BEFORE HEARING EXAMINER*
BOARD OF EDUCATION POLICY 8340, *APPEAL BEFORE THE BOARD OF EDUCATION*
BOARD OF EDUCATION POLICY 8410, *FRAUD REPORTING*

Rule
Approved: 07/22/71
Revised: 09/08/77
Revised: 04/26/84
REVISED: _____

Superintendent of Schools

STUDENTS: Conduct

STUDENT USE AND POSSESSION OF Tobacco

I. PURPOSE

THE SCHOOL BUILDINGS AND GROUNDS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS ARE TOBACCO-FREE. THIS RULE IS DEVELOPED TO NOTIFY STUDENTS THAT TOBACCO PRODUCTS IN ANY FORM ARE PROHIBITED IN ALL BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS), BUILDINGS, GROUNDS, AND IN CONNECTION WITH ALL SCHOOL-SPONSORED ACTIVITIES. THE RULE FURTHER ESTABLISHES DISCIPLINARY PROCEDURES FOR VIOLATIONS OF BOARD OF EDUCATION POLICY 5530 AND THIS ACCOMPANYING RULE.

II. DEFINITIONS

- A. *PARENT* –THE BIOLOGICAL PARENT, LEGAL GUARDIAN, OR PERSON ACTING IN THE ABSENCE OF THE PARENT OR GUARDIAN.
- B. *School Property* – MEANS ALL SCHOOL SYSTEM [Refers to any] property, vehicleS, buildingS, AND grounds OWNED BY, LEASED TO, OR UNDER THE JURISDICTION OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD), AND ANY OTHER LOCATION USED FOR SCHOOL-SPONSORED ACTIVITIES AND/OR SCHOOL-SPONSORED SOCIAL EVENTS. [or item leased to, under the jurisdiction of, or owned by the Board. of Education.]
- C. *SCHOOL-SPONSORED EVENT* – MEANS ANY ORGANIZED CLASS, CURRICULAR, OR EXTRACURRICULAR ACTIVITY INVOLVING STUDENTS AND SPONSORED BY, SUPERVISED BY, APPROVED BY, OR OTHERWISE UNDER THE JURISDICTION OF THE BOARD, ITS AGENTS OR REPRESENTATIVES, REGARDLESS OF WHEN OR WHERE THE ACTIVITY TAKES PLACE.
- D. *Tobacco* – Means products derived from the tobacco plant that are smoked, chewed, sniffed, or otherwise consumed, including cigarettes, CIGARETTE ROLLING PAPERS, cigars, pipe tobacco, snuff, chewing tobacco, or smokeless tobacco. [For the purpose of Policy 5530, the term, tobacco,] THIS SHALL [does] not include nicotine replacement therapy.

III. NOTIFICATIONS [SCHOOL ACTION]

- A. SCHOOL ADMINISTRATORS WILL NOTIFY ALL STUDENTS, PARENTS, AND STAFF ANNUALLY THAT THE [The] use and/or possession of tobacco or tobacco products by students is prohibited on school property and AT school-sponsored activities.
- B. ALL MIDDLE AND HIGH SCHOOL STUDENTS WILL BE NOTIFIED ANNUALLY IN THE STUDENT HANDBOOK OF THE PROVISIONS OUTLINED IN BOARD OF EDUCATION POLICY AND SUPERINTENDENT’S RULE 5530.

[The possession or use of tobacco is listed as an offense in Categories I and II in the *Student Handbook* [of Baltimore County Public Schools]. All cases involving tobacco use by students shall be processed as outlined in the *Student Handbook* of Baltimore County Public Schools.]

IV. VIOLATIONS

- A. AN ADMINISTRATOR WILL INVESTIGATE ANY ALLEGED VIOLATION OF THIS POLICY.
- B. IF A VIOLATION OF THIS POLICY HAS BEEN FOUND, APPROPRIATE ACTION WILL BE TAKEN IN ACCORDANCE WITH BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE BEHAVIOR* AND THE BALTIMORE COUNTY PUBLIC SCHOOLS’ *STUDENT HANDBOOK*.
- C. ADMINISTRATORS WILL PROCESS VIOLATIONS IN A GIVEN SCHOOL YEAR ON A FOUR-STEP PROGRESSION:
 - 1. FIRST OFFENSE – A SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND A PARENT, ALTHOUGH SUSPENSION FROM SCHOOL MAY RESULT. DURING THE CONFERENCE THE PARENT WILL BE REMINDED THAT POSSESSION OF A TOBACCO PRODUCT BY A MINOR IS ILLEGAL IN MARYLAND AND THAT ANY FURTHER OFFENSES MAY RESULT IN SUSPENSION.
 - 2. SECOND OFFENSE – THE SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND PARENT. THE STUDENT MAY BE SUSPENDED.
 - 3. THIRD OFFENSE – THE STUDENT WILL BE SUSPENDED.
 - 4. FOURTH AND SUBSEQUENT OFFENSE - THE SCHOOL ADMINISTRATOR WILL HOLD A CONFERENCE WITH THE STUDENT AND PARENT. THE STUDENT WILL BE

SUSPENDED FOR UP TO TEN (10) SCHOOL DAYS AND REFERRED TO THE SUPERINTENDENT OR HIS DESIGNEE FOR ALTERNATIVE PROGRAM ASSIGNMENT.

III. PREVENTION PROGRAMS

- A. THE DEPARTMENT OF CURRICULUM AND INSTRUCTION, AS PART OF THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, WILL PROVIDE SCHOOLS WITH CURRICULUM GUIDES, RESOURCES, AND INSTRUCTIONAL SUPPORT TO MAKE STUDENTS AWARE OF THE DANGERS OF TOBACCO USE.

[The Division of Educational Support Services, staff of the Departments of Elementary and Secondary Curriculum and Instruction, and the Office of Health and Physical Education are directed to continue efforts to make students aware, through educational programs, of the dangers of smoking and other uses of tobacco. Health education units/lessons in kindergarten to twelfth grades address the detrimental aspects of the use of tobacco.]

- B. School nurses and school counselors will [direct] REFER students who [are involved with tobacco use] USE TOBACCO to APPROPRIATE programs/resources designed to assist them in discontinuing tobacco use UPON REQUEST.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-107, DISTRIBUTION OF TOBACCO PRODUCT TO MINOR*
ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §10-108, POSSESSION OF TOBACCO PRODUCT BY MINOR; USE OF FALSE IDENTIFICATION
COMAR 13A.02.04, *TOBACCO-FREE SCHOOL ENVIRONMENT*
COMAR 13A.04.18, *PROGRAM IN COMPREHENSIVE HEALTH EDUCATION*
COMAR 13A.08.01.08, *SUBSTANCE USE OR DISTRIBUTION*

RELATED POLICIES: BOARD OF EDUCATION POLICY 2372, *TOBACCO*
BOARD OF EDUCATION POLICY 5330, *SOCIAL ACTIVITIES*

BOARD OF EDUCATION POLICY 5500, *CONDUCT*
BOARD OF EDUCATION POLICY 5550, *DISRUPTIVE*
BEHAVIOR

BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS,*
ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR
EXPULSIONS

BOARD OF EDUCATION POLICY 5600, *STUDENTS'*
RIGHTS AND RESPONSIBILITIES

Rule

Superintendent of Schools

Approved: 11/29/73

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