I. PLEDGE OF ALLEGIANCE

II. SILENT MEDITATION IN REMEMBRANCE

III. AGENDA

Consideration of the agenda for December 6, 2011

IV. MINUTES

Consideration of the Open and Closed Minutes of November 8, 2011 

V. SELECTION OF SPEAKERS

VI. ADVISORY AND STAKEHOLDER GROUPS

VII. PUBLIC COMMENT

A. Public comment on the following Board of Education policies (second reading):

- Proposed Changes to Policy 3150 – NON-INSTRUCTIONAL SERVICES: Risk Management-Board Insurance

- Proposed Changes to Policy 3220 (renumbered to Policy 3620) – NON-INSTRUCTIONAL SERVICES: Purchasing Services-Inventories

- Proposed Changes to Policy 3310 – NON-INSTRUCTIONAL SERVICES: Food Services-Purpose

- Proposed Changes to Policy 3330 – NON-INSTRUCTIONAL SERVICES: Food Services-Finance

- Proposed Changes to Policy 3510 – NON-INSTRUCTINAL SERVICES: Physical Plant Services-Operations
VII. PUBLIC COMMENT (cont)

- Proposed Deletion of Policy 3530.1 – NON-INSTRUCTIONAL SERVICES: Fiscal Services-Reward Program/School-Related Crimes
- Proposed Deletion of Policy 3610 – NON-INSTRUCTIONAL SERVICES: Fees, Gifts and Property Disposition-Tuition Fees

VIII. GENERAL PUBLIC COMMENT

IX. SPECIAL ORDER OF BUSINESS – Recognition of students from the High School Honors Concert

X. SPECIAL ORDER OF BUSINESS – Recognition of Ron Belinko

XI. SUPERINTENDENT’S REPORT

XII. PRESIDENT’S REPORT

XIII. RECOGNITION OF AREA EDUCATION ADVISORY COUNCIL APPOINTMENTS FROM NOVEMBER 8, 2011

XIV. OLD BUSINESS

A. Consideration of the following Board of Education Policies (third reading):

- Proposed Changes to Policy 1230 – COMMUNITY RELATIONS: Community Involvement-Area Education Advisory Councils
  (Mr. Coleman) Exhibit B
- Proposed Changes to Policy 1240 – COMMUNITY RELATIONS: Community Involvement-Visits to Schools
  Exhibit C
- Proposed Deletion of Policy 1250 – COMMUNITY RELATIONS: Community Involvement-Participation in the Local School by Community Members
  Exhibit D
- Proposed Changes to Policy 3130 –NON-INSTRUCTIONAL SERVICES: FISCAL SERVICES – Accounting and Cash Management-Relationships with Private Business for Purpose of Providing Products or Services to Students
  Exhibit E
- Proposed Changes to Policy 3225 – NON-INSTRUCTIONAL SERVICES: Purchasing-Furniture, Fixtures, Equipment
  Exhibit F
XIV. OLD BUSINESS (cont)

- Proposed New Policy 4008 – PERSONNEL: General-Data Governance
- Proposed New Policy 4009 – PERSONNEL: General-Emergency Closings-Employees
- Proposed Changes to Policy 5140 – STUDENTS: Enrollment and Attendance–School Attendance Areas
- Proposed Changes to Policy 5150 – STUDENTS: Enrollment and Attendance-Residents and Nonresidents
- Proposed Changes to Policy 5330 – STUDENTS: Activities-Social Events
- Proposed Changes to Policy 8315 – INTERNAL BOARD OPERATIONS: Operations-Meetings: Participation by the Public
- Proposed Changes to Policy 8360 – ETHICS CODES – Definitions
- Proposed Changes to Policy 8361 – ETHICS CODES – General
- Proposed Changes to Policy 8362 – ETHICS CODES – Gifts to the Board of Education, Schools, and Offices within the School System
- Proposed Changes to Policy 8363 – ETHICS CODES – Conflict of Interest
- Proposed Changes to Policy 8364 – ETHICS CODES – Financial Disclosure
- Proposed Changes to Policy 8365 – ETHICS CODES – Lobbying Disclosure
- Proposed Changes to Policy 8366 – ETHICS CODES – Ethics Review Panel

XV. NEW BUSINESS

A. Consideration of Actions Taken in Closed Session (Andrew Nussbaum, Esq.)
XV. NEW BUSINESS (cont)

B. Consideration of consent to the following personnel matters: (Dr. Peccia)
   1. Retirements
   2. Resignations
   3. Leaves of Absence
   4. Deaths
   5. Certificated Appointments

   Exhibit T
   Exhibit U
   Exhibit V
   Exhibit W
   Exhibit X

C. Consideration of consent to the following contract awards: (Mr. Gay/Mr. Sines)
   1. Contract Modification: Snacks
   2. Contract Modification: Web-based School Lunch and Activities Payment Service
   3. Certification Dues for Speech Language Pathologists and Audiologists
   4. Door Hardware
   5. Floor Care Machines and Associated Equipment
   6. Paint – Interior and Exterior
   7. Stone, Mulch, Topsoil, and Associated Materials
   8. Textbook – Calculus
   10. The Strategic Data Project Fellows
   11. Replacement of Windows, Blinds, Doors – Battle Grove Elementary School
   12. Installation of a New Elevator – Orems Elementary School
   13. Installation of a New Elevator – Pleasant Plains Elementary School
   15. Replacement of Windows, Blinds, Doors – Rosedale Center
   16. Consultant Qualification: Architectural consulting Services
   17. Consultant Qualification: Civil/Structural Engineering Consulting Services
   18. Consultant Qualification: Mechanical/Electrical Engineering Consulting Services

   Exhibit Y
XV. NEW BUSINESS (cont)
D. Discussion on the County’s Adequate Public Facilities Law (Ms. Roddy)

XVI. REPORTS
A. Comprehensive Report on High Schools (Ms. Walker)

Exhibit Z

XVII. INFORMATION
A. Northeast Area Education Advisory Council Minutes of November 9, 2011 Exhibit AA
B. Southeast Area Education Advisory Council Minutes of October 10, 2011 Exhibit BB
C. Revised Superintendent’s Rule 1240 – COMMUNITY RELATIONS: Community Involvement-Visits to Schools Exhibit CC
D. Deletion of Superintendent’s Rule 1250 – COMMUNITY RELATIONS: Community Involvement-Participation in the Local School by Community Members Exhibit DD
E. Revised Superintendent’s Rule 3130 – NON-INSTRUCTIONAL SERVICES: FISCAL SERVICES – Accounting and Cash Management-Relationships with Private Business for Purpose of Providing Products or Services to Students Exhibit EE
F. Revised Superintendent’s Rule 3225 – NON-INSTRUCTIONAL SERVICES: Purchasing-Furniture, Fixtures, Equipment Exhibit FF
G. New Superintendent’s Rule 4008 – PERSONNEL: General-Data Governance Exhibit GG
H. New Superintendent’s Rule 4009 – PERSONNEL: General-Emergency Closings-Employees Exhibit HH
I. Deletion of Superintendent’s Rule 4403 – PERSONNEL: Support/Classified Personnel-Forfeitures Exhibit II
K. Revised Superintendent’s Rule 5140 – STUDENTS: Enrollment and Attendance–School Attendance Areas Exhibit KK
XVII. INFORMATION (cont)

L. Revised Superintendent’s Rule 5150 – STUDENTS: Enrollment and Attendance-Residents and Nonresidents

M. New Superintendent’s Rule 5330 – STUDENTS: Activities- Social Events

N. Revised Superintendent’s Rule 6303 – INSTRUCTION: Schedules- Unplanned or Emergency Closures

XVIII. ANNOUNCEMENTS

Next Board Meeting Tuesday, December 20, 2011
6:30 PM Greenwood
TENTATIVE MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, November 8, 2011

The Board of Education of Baltimore County met in closed session at 4:02 p.m. at Greenwood. President Lawrence E. Schmidt, Esquire, and the following Board members were present: Mr. Michael H. Bowler, Cornelia Bright Gordon, Esquire, Mr. James E. Coleman, Mr. Michael J. Collins, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Ms. Valerie A. Roddy, Mr. David Uhlfelder, and Mr. Logan McNaney. In addition, Dr. Joe A. Hairston, Superintendent of Schools, and staff members were present.

Mr. Schmidt reminded Board members of community functions and Board of Education events scheduled in November and December.

Pursuant to the Annotated Code of Maryland, State Government Articles, §§10-508(a)(1), (a)(7), (a)(8), and (a)(9) and upon motion of Mr. Uhlfelder, seconded by Mr. Parker, the Board commenced its closed session at 4:03 p.m.

CLOSED SESSION MINUTES

The Board of Education of Baltimore County, Maryland, met in closed session at 4:03 p.m. at Greenwood. President Lawrence E. Schmidt, Esquire, and the following Board members were present: Mr. Michael H. Bowler, Cornelia Bright Gordon, Esquire, Mr. James E. Coleman, Mr. Michael J. Collins, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Ms. Valerie A. Roddy, 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; Dr. Roger L. Plunkett, Assistant Superintendent, Curriculum and Instruction; Ms. Karen Blannard, Assistant Superintendent, Elementary Schools; Ms. Verletta White, Assistant Superintendent, Elementary Schools; Dr. Edward Newsome, Jr., Assistant Superintendent, Middle Schools; Dr. Donald A. Peccia, Assistant Superintendent, Human Resources; Dr. Alpheus Arrington, Director, Human Resources; Mr. George M. Duque, Staff Relations Manager; Margaret-Ann F. Howie, Esquire, General Counsel; and Ms. Brenda Stiffler, Administrative Assistant to the Board.

Mr. McNaney exited the room at 4:03 p.m.

Mr. Duque provided Board members with an update on negotiations with various collective bargaining units.

Mr. McNaney re-entered the room at 4:17 p.m.

Dr. Peccia reviewed with Board members personnel matters to be considered on the evening’s agenda.
On motion of Mr. Parker, seconded by Mr. Coleman, the Board adjourned its closed session at 4:25 p.m. Staff members exited the room.

**ADMINISTRATIVE FUNCTION**

At 4:26 p.m., Dr. Carl Smith, Executive Director of the Maryland Association of Boards of Education, discussed superintendent searches.

Andrew W. Nussbaum, Esquire, Counsel to the Board of Education, entered the room at 4:37 p.m.

Mr. Collins exited the room at 4:53 p.m. Mr. Collins re-entered the room at 5:05 p.m.

Mr. Nussbaum provided legal advice to the board regarding the hearing officers’ opinions to be considered that evening.

On motion of Mr. Parker, seconded by Ms. Roddy, the Board adjourned from administrative function session at 5:35 p.m. for a brief dinner recess. The Board hosted the Baltimore County Student Council (BCSC) for dinner.

**OPEN SESSION MINUTES**

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:06 p.m. at Greenwood. President Lawrence E. Schmidt, Esquire, and the following Board members were present: Mr. Michael H. Bowler, Cornelia Bright Gordon, Esquire, Mr. James E. Coleman, Mr. Rodger C. Janssen, Ms. Ramona N. Johnson, Mr. George J. Moniodis, Mr. H. Edward Parker, Ms. Valerie A. Roddy, 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 Nick Pratley, a student a Hereford Middle School, followed by a period of silent meditation for those who have served education in the Baltimore County Public Schools.

Hearing no additions or corrections to the Open and Closed Minutes of October 11, 2011, Mr. Schmidt declared the minutes approved as presented on the Web site.

Mr. Schmidt 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, Mr. Schmidt 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.

Mr. Schmidt 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.

Mr. Schmidt also asked speakers to observe the timer, which lets the speaker know when time is up. He asked speakers to conclude their remarks when they see his/her time is up.

ADVISORY AND STAKEHOLDER COMMENTS

Miss Olivia Keithley, Baltimore County Student Council President and member of the Superintendent’s Student Council Advisory Group, reported on the first general assembly of the year, which was held on October 18. Discussions included: teacher evaluations, school-day schedules, and AP class readiness. The Superintendent’s Student Council Advisory Group held its first meeting on October 19 and discussed various schools. Miss Keithley thanked the Board for dinner earlier that evening and for its commitment to Baltimore County students.

Ms. Abby Beytin, President of the Teachers Association of Baltimore County, stated that the school system needs to find the answers to allow our teachers to teach in their most effective way using their professional expertise.

Mr. P. J. Shafer, Chair of the Special Education Citizens Advisory Committee (SECAC), introduced himself as the new chairperson for SECAC. He stated that SECAC has worked on many different topics, such as: special education, G/T, magnet programs for disabilities, and language disabilities. Mr. Shafer stated that SECAC is interested in the superintendent search process and has appreciated Dr. Hairston’s approach on “All Means All.” Board members were invited to attend the November 14 and December 12 SECAC meetings.
Ms. Nancy Ostrow, President of the PTA Council of Baltimore County, thanked BCPS offices for participating in the exhibit area during the PTA’s Annual Fall Reception and Workshop. She encouraged Board members to review the public testimony presented at each of the five pre-budget hearings. Board members were also encouraged to visit more schools and talk directly to administrators, teachers, staff, students, and parents.

Mr. Greg Paranzino, Vice Chair of the Citizens Advisory Committee for Gifted and Talented Education (GTCAC), reported on its November 2 meeting where parents and students discussed, “Mapping Your High School Path.” GTCAC is working with the Office of Gifted and Talented Education to finalize a parent-friendly guide for G/T Education, which will act as a resource for parents, students, and teachers. Mr. Paranzino announced that on March 7, 2012, GTCAC will host a panel of students discussing their experiences in the G/T program.

Mr. John Desmone, Executive Director of the Council of Administrative and Supervisory Employees, thanked the Superintendent and Board for the continued discussion of the bargaining unit’s composition as required by the state legislation passed last January.

Ms. Jasmine Shriver, Coordinator of the Area Education Advisory Councils (AEAC), announced that there will be a joint AEAC meeting on Thursday, November 10, 2011, at 7:00 p.m. She thanked the chairpersons of each of the five AEAC for their work on behalf of the school system.

Ms. Laura Mullen, Chair of the Central Area Education Advisory Council, reported on its operating pre-budget hearing held October 13, 2011. Testimony included: consistency and accountability of the G/T program; overcrowding and long-term projections for Padonia International School; teaching force cannot afford to be reduced; and concern with class sizes. The Council’s next meeting is scheduled for January 26, 2012, at Towson High School to discuss “College 101.”

Mr. Clifford Collins, Chair of the Northwest Area Education Advisory Council, reported on its operating and capital pre-budget hearing held October 18, 2011. Testimony included: safety and overcrowding issues at New Town Elementary School; requested new video screen and LCD projector at Old Court Middle School; request for two additional relocatables at Owings Mills High School to relieve overcrowded conditions; air conditioning at Pikesville High School; and new music instruments, equipment, and supplies for Randallstown High School’s band. Detailed information on each request was provided to Board members.
ADVISORY AND STAKEHOLDER COMMENTS (cont)

Ms. Beverly Coleman, Chair of the Southwest Area Education Advisory Council, reported on its operating and capital pre-budget hearing held October 19, 2011. Testimony included: repair of emergency lights, installation of air conditioning, two crossing guards, and repainting of some portions of Southwest Academy; concerned about not meeting Adequate Yearly Progress (AYP) and the loss of a special education teacher position at Featherbed Elementary School; and updating technology resources and installation of air conditioning at Catonsville Elementary School. Ms. Coleman provided detailed information on each item to Board members.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 1230

Ms. Jasmine Shriver asked the Board to support the proposed changes to the policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 1240

Ms. Nancy Ostrow stated that the PTA Council of Baltimore County supports the revisions to this policy.

PUBLIC COMMENT ON PROPOSED DELETION OF POLICY 1250

Ms. Nancy Ostrow stated that she supports the deletion of this policy as redundant. While wording within policy and rule 1270 address much of the original intent of policy 1250, Ms. Ostrow stated that Rule 1270 and related rules should be reviewed to ensure that the wording “community representation on the School Improvement Team” is included.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 3130

Ms. Nancy Ostrow stated that the proposed revisions add oversight so that the principal is the only administrator entering into contracts. She stated that it is important to carefully review the rule in regards to the acceptable list of products made available to students. More details are needed on the most efficient process for placing student orders and how much instructional time could be lost.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 3225

No one from the public signed up to speak on this policy.
PUBLIC COMMENT ON PROPOSED NEW POLICY 4008
No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED NEW POLICY 4009
No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 5140
No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 5150
No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 5330
Ms. Nancy Ostrow stated that the PTA Council of Baltimore County supports the changes to this policy because it relates to the assurance of student safety at school-sponsored social events.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8315
Ms. Nancy Ostrow stated that the PTA Council of Baltimore County supports the revision to Policy 8315. However, the wording is unclear whether stakeholder groups would also be afforded the opportunity to provide comment. Section III should be changed to reflect “during regular board meetings” as revised in Section II, Public Comment.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8360
No one from the public signed up to speak on this policy.

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8361
No one from the public signed up to speak on this policy.
PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8362

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8363

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8364

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8365

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

PUBLIC COMMENT ON PROPOSED CHANGES TO POLICY 8366

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

Board member, Mr. Michael J. Collins, entered the room at 7:31 p.m.

GENERAL PUBLIC COMMENT

Mr. Alex Jerome, a student at Pikesville High School, asked the Board to consider the installing of air conditioning in its budget request. He stated that, on average, some classrooms are 20 to 25 degrees hotter than the outside temperature, and that extreme heat in the school affects his homework.

Ms. Susan Waldman asked the Board to install air conditioning at Pikesville High School.

Mr. Jeff Jerome asked the Board to install air conditioning at Pikesville High School.

Ms. Jayne Lee asked the Board to advance Pikesville High School on the priority list for receiving air conditioning. She stated that some students have fainted due to lack of air circulation.
GENERAL PUBLIC COMMENT (cont)

Ms. Jill Dudley Cohen asked the Board to install air conditioning at Pikesville High School. She stated that it appears there have been no significant improvements at Pikesville High in 40 years.

Dr. Bash Pharoan stated that documentation of public participation in the minutes is too brief. Dr. Pharoan stated that the focus on quality must be done by objective data and asked the Board to stress that in the future in its decisions about the effectiveness of teachers and which tools are used in the teaching materials.

SUPERINTENDENT’S REPORT

Dr. Hairston acknowledged Mr. Tom “TK” Kuegler, a 1989 graduate of Kenwood High School. Mr. Kuegler is a successful businessman who co-founded a consulting firm that helps new technology companies. Through his generosity, Mr. Kuegler has given our students the Pb Wiki enterprise Campus Solution valued at over $90,000. This gift enables our system to effectively manage 35,000 wiki users and the content.

Dr. Hairston also acknowledged Ms. Cindy David, Division Director of Visual Sound/Kunz AV, who has worked with offices, schools, teachers, and parents to provide support for many technology-related resources including hardware and software for the past 18 years. She has personally installed software and hardware, provided door prizes for Tech Nights, and in any way possible, supported the school system’s effort to provide students with sound and effective technology.

Mr. Collins exited the room at 8:19 p.m.

PRESIDENT’S REPORT

Ms. Roddy, chairperson of the Search Committee, stated that the Committee has met to interview a potential firm. She stated that references and credentials will be verified. Ms. Roddy stated that the Committee’s goal is to bring a contract to the full Board for approval in the near future.

Mr. Schmidt stated that the parameters and timelines relative to the search would be forthcoming.
## RECOGNITION OF ADMINISTRATIVE APPOINTMENTS

Dr. Donald Peccia, Assistant Superintendent of Human Resources, recognized the administrative appointments from the October 11, 2011, Board meeting.

<table>
<thead>
<tr>
<th>NAME</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SHERRYL AHERN</strong></td>
<td>Elementary Instructional Specialist/</td>
<td>Coordinator</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Coordinator</td>
<td>Elementary Language Arts</td>
</tr>
<tr>
<td></td>
<td>Madison City Schools</td>
<td>Office of Language Arts, PreK-12</td>
</tr>
<tr>
<td><strong>JAMIE L. BASIGNANI</strong></td>
<td>Teacher/Classroom</td>
<td>Assistant Principal</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Villa Cresta Elementary School</td>
<td>Pinewood Elementary School</td>
</tr>
<tr>
<td><strong>ELIZABETH GRACE CHESNEY</strong></td>
<td>Supervisor, Testing</td>
<td>Executive Director</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Office of Shared Accountability</td>
<td>Department of Research, Accountability, and Assessment</td>
</tr>
<tr>
<td></td>
<td>Montgomery County Public Schools</td>
<td></td>
</tr>
<tr>
<td><strong>ERIC CROMWELL</strong></td>
<td>Coordinator of Accelerated Learning</td>
<td>Coordinator</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Programs</td>
<td>Office of Science, PreK-12</td>
</tr>
<tr>
<td></td>
<td>Harford County Public Schools</td>
<td></td>
</tr>
<tr>
<td><strong>TIMOTHY P. HAYDEN</strong></td>
<td>Supervisor</td>
<td>Coordinator</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Office of School Counseling Services</td>
<td>Office of School</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Counseling Services</td>
</tr>
<tr>
<td><strong>CAMILLE B. JONES</strong></td>
<td>Director of Technology</td>
<td>Chief Information Officer</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Lansing Public School District</td>
<td>Department of Technology</td>
</tr>
<tr>
<td><strong>LAURIE MAZELIN</strong></td>
<td>Teacher/Resource</td>
<td>Specialist</td>
</tr>
<tr>
<td>(Effective October 12, 2011)</td>
<td>Department of Research, Accountability, and Assessment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Carney Elementary School</td>
<td>Assistant Principal</td>
</tr>
<tr>
<td><strong>BARBARA W. ROEMER</strong></td>
<td>Teacher/Classroom</td>
<td>Carney Elementary School</td>
</tr>
</tbody>
</table>
RECOGNITION OF AREA EDUCATION ADVISORY COUNCIL (AEAC)

APPOINTMENTS

Dr. Peccia recognized the following area education advisory council appointments and reappointments from the October 11, 2011, Board meeting:

- Mr. Thomas Henry  Northeast AEAC appointment
- Ms. Lori Rivieri  Northeast AEAC reappointment
- Ms. Sandra Skordolas  Southeast AEAC appointment

ACTION TAKEN IN CLOSED SESSION

On motion of Mr. Parker, seconded by Mr. Uhlfelder, the Board confirmed the action taken in closed session in Case Numbers H.E. 12-08 and 12-10 (favor-11). Mr. Collins was not in the room to vote on this item.

PERSONNEL MATTERS

On motion of Mr. Janssen, seconded by Mr. Parker, the Board approved the personnel matters as presented on exhibits B, C, D, E, F and G (favor-11). Mr. Collins was not in the room to vote on this item. (Copies of the exhibits are attached to the formal minutes).

BUILDING AND CONTRACT AWARDS

The Building and Contracts Committee, represented by Mr. Parker, recommended approval of items 1-11 (exhibit H).

The Board approved these recommendations.

1. JNI-779-12 Digital Library Information Services (Defined STEM)
2. JNI-778-12 Health and Dental Services
3. JMI-604-12 Grounds Equipment Repair Parts
4. MBU-506-12 Kitchen Equipment – Large
5. JMI-609-12 Mulch – Wood Fiber
6. RGA-112-12 Nonpublic Special Education Facilities
7. JMI-606-12 School Locker (Hall/Gymnasium) Repairs, Installation, and Parts
8. JMI-607-12 Roof Replacement – Elmwood Elementary School
9. JNI-764-12 Replacement of Windows, Blinds, and Doors – Halethorpe Elementary School
BUILDING AND CONTRACT AWARDS (cont)

10. PCR-225-11  Replacement of Windows, Blinds, and Doors – Pine Grove Elementary School

11. MBU-507-12  Roof Replacement – Warren Elementary School

REPORTS

The Board received the following reports:

A. **Mechanics of a Superintendent Search** – Dr. Carl Smith, Executive Director of the Maryland Association of Boards of Education (MABE), shared with Board members the mechanics of a superintendent search. The report covered:

- Planning the search
- Screening and selecting candidates
- Selecting and appointing the new superintendent
- General timeline

Mr. Collins re-entered the room at 8:31 p.m.

Dr. Smith reminded the Board that the superintendent must meet Maryland certification requirements and must also be approved by the state superintendent of schools. If a superintendent is not appointed by June 30, the board must select an interim superintendent to serve for one year.

Mr. Parker asked what the approximate cost for a search firm would be. Dr. Smith responded that for a school system of this size the base fee would be approximately $30,000 to $40,000 and approximately $15,000 to $20,000 in additional expenses.

Mr. Schmidt asked what the trends are relative to a traditional versus a non-traditional candidate. Dr. Smith responded that he has never seen a non-traditional candidate receive approval from the state superintendent.

B. **Report on September 30 Official Enrollments, Projections, and Capacities** – Ms. Kara Calder, Executive Director of Planning and Support Operations, shared with Board members the history of the September 30 Enrollment report. The report contains:
REPORTS (cont)

- Official September 30 enrollments
- Latest state-rated capacity (SRC) adjustments
- Enrollment comparison to projections
- Thematic maps

The official student enrollment for September 30, 2011, was 105,315. Ms. Calder reviewed the projections vs. actual enrollments compared to September 30, 2010.

<table>
<thead>
<tr>
<th></th>
<th>9/30/2010</th>
<th>9/30/2011</th>
<th>Over/Under</th>
<th>% Accuracy</th>
<th>Increase/Decrease From Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>49,314</td>
<td>50,399</td>
<td>-104</td>
<td>99.29%</td>
<td>1,443</td>
</tr>
<tr>
<td>Projection</td>
<td>50,757</td>
<td>358</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middle Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>22,272</td>
<td>22,515</td>
<td>-104</td>
<td>99.54%</td>
<td>139</td>
</tr>
<tr>
<td>Projection</td>
<td>22,411</td>
<td>-221</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>31,202</td>
<td>30,775</td>
<td>-104</td>
<td>99.28%</td>
<td>-648</td>
</tr>
<tr>
<td>Projection</td>
<td>30,554</td>
<td>-221</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Education Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>351</td>
<td>351</td>
<td>0</td>
<td>93.85%</td>
<td>23</td>
</tr>
<tr>
<td>Projection</td>
<td>374</td>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternative Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>292</td>
<td>292</td>
<td>0</td>
<td>84.93%</td>
<td>-44</td>
</tr>
<tr>
<td>Projection</td>
<td>248</td>
<td>-44</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Schools and Programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>900</td>
<td>863</td>
<td>37</td>
<td>88.88%</td>
<td>71</td>
</tr>
<tr>
<td>Projection</td>
<td>971</td>
<td>108</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>104,331</td>
<td>105,195</td>
<td>120</td>
<td>99.89%</td>
<td>984</td>
</tr>
</tbody>
</table>

C. **Report on Reading English Language Arts (RELA)** – Dr. Roger Plunkett, Assistant Superintendent of Curriculum and Instruction, stated that the purpose of the presentation was to provide an overview of the current functions and to forecast work relative to transitioning to the Common Core State Standards (CCSS). Dr. Plunkett reviewed two questions relative to Language Arts: literary textbooks purchased in 2010 and the amount of monies spent on curriculum development.

Ms. Sherryl Ahern, Coordinator for Elementary Language Arts, stated that a gap analysis has been completed for all guides, PreK through 12. Staff members are starting to review new reading programs to replace the outdated/out-of-print anthologies, “Open Court” and “Houghton Mifflin” series that do not meet the instructional expectations of the Common Core.

Ms. Kelly Smith, Coordinator for Secondary Language Arts, stated that the curriculum and instruction staff are reviewing the CCSS and are aligning the current curriculum with the new standards. Members of the Effective Educator Academy Teams have designed lessons that are being distributed to all schools.
REPORTS (cont)

Ms. Ahern and Ms. Smith review the Curriculum Appraisal Process, which consisted of:

- The ISO-9001: 2008 Process
- Beginning the process in November and conclude in February. Each guide will have a list of specific, detailed recommendations for aligning to the CCSS.
- Exemplar curriculum examples that focus on reading, writing, speaking, listening, language, and research.
- Gap analysis documents and CCSS transition documents will be used to evaluate all curriculum guides Grades K-12.
- Guides that are reviewed and detailed recommendations will be made for alignment to the Common Core in each area.

Immediate challenges and professional development are needed in the following areas:

- Text Types and Text Complexity
  - Two workshops are planned for the first semester: November 29 and 30 and December 19 and 20.
  - Access to grammar books and online language resources to help plan effective language lessons.
- Writing process, focusing on revision
  - Writing process workshops
  - Materials and resources
  - Web-site entitled, The Writing Place, which will become a cross-curricular tool for all teachers in all subjects

Curriculum and instruction staff will complete the review process for appropriately aligned Common Core reading resources and a pilot will be placed in selected elementary schools in 2012-2013, following the ISO process. Teachers participating in the pilot will be trained in May 2012. In the spring of 2013, a reading series/resources will be selected dependent on pilot outcomes and teachers will be trained on new reading series aligned to new BCPS/CCSS curriculum in summer 2013, following the ISO process. All elementary schools will use new reading series to teach BCPS/CCSS curriculum in 2013-2014.

Mr. Coleman asked whether there is flexibility in the guide for experienced teachers. Dr. Plunkett responded that the guides are not scripted. There are essential learning outcomes and staff wants to differentiate based upon the needs of the students.
Ms. Johnson asked for a summary of events that took place in the summer of 2010 during the Language Arts curriculum writing process. Dr. Plunkett stated that, due to a lack of leadership, some things had been completed that were not authorized. As a result, members of the Language Arts department and teachers have spent some time this year revising some of the work due to lack of direction. Ms. Johnson asked where the Language Arts curriculum stands regarding revisions, restoration, and applying the proper resources. Dr. Plunkett responded that staff does not view linguistics as a curriculum and that information will be presented to the Curriculum Committee in the near future then to the full Board for approval. Ms. Johnson asked for a current update to the Language Arts revisions. Dr. Plunkett responded that the revisions are being incorporated into the work staff is doing with the teams and is an ongoing process at this time.

Mr. Parker asked whether staff was following the ISO-9001: 2008 guidelines with Dr. Plunkett responding in the affirmative.

Mr. Schmidt asked whether the curriculum will be aligned with the CCSS with Dr. Plunkett responding in the affirmative. Dr. Plunkett stated that this is a transitional year where BCPS is taking the Common Core standards and the gap analysis to align the curriculum with those standards to ensure there is rigor embedded into the curriculum.

Ms. Johnson asked for a timeline of when the Language Arts curriculum would be brought to the full Board. Dr. Plunkett stated that, as staff continues to phase plan and work with the Executive Director of Liberal Arts, the school system will have a date in the near future. Ms. Johnson asked whether resources were being allocated for the curriculum. Dr. Plunkett responded that teachers are being used to support the work.

Ms. Johnson asked whether the school system will continue to use the novel, Mrs. Dalloway, and if so how will the novel be used. Dr. Plunkett responded that the book will be made available to those students at the collegiate level. Some of the books will be returned to the company.

Mr. Mc Naney asked whether there were any AVID strategies being used in this curriculum. Ms. Smith responded affirmatively. She stated that as the school system creates The Writing Place, that resource will be linked to AVID. Mr. McNaney asked whether The Writing Place will be a resource for teachers and students. Ms. Smith responded that it needs to be made available first to teachers. A parent/student version could be created in the future.
REPORTS (cont)

Mr. Bowler asked whether the Language Arts curriculum in 2010 was approved by the administration and the Board. Dr. Plunkett responded that he did not have that information.

With the events that took place in the summer of 2010 relative to the Language Arts curriculum, Ms. Johnson asked what processes and controls have been put in place to prevent this from recurring. Mr. Schmidt stated that the Board has an interest to ensure that the school system is moving forward and that corrections have been made to prevent recurrence. Dr. Plunkett noted that staff convenes on a regular basis; has clearly identified targets and goals; and meets with teachers and focus groups to ensure open communication on what needs to be accomplished.

Dr. Hairston stated that this is a proactive step in moving forward with the Language Arts curriculum. Dr. Hairston stated that the school system is attempting to restore the curriculum, and it has been a long process.

Mr. McNaney suggested that Mrs. Dalloway could be used in Advanced Placement (AP) classes such as AP-12.

INFORMATION

The Board received the following as information:

A. Central Area Education Advisory Council Minutes of October 13, 2011

ANNOUNCEMENTS

Mr. Schmidt made the following announcements:

- The Northeast Area Education Advisory Council will hold its next meeting on Wednesday, November 9, 2011, at Eastern Technical High School beginning at 7:00 p.m.

- There will be a joint Area Education Advisory Council meeting on Thursday, November 10, 2011, at 7:00 p.m. in the Administration Building, Rooms A and B.

- The Southeast Area Education Advisory Council will hold its next meeting on Monday, November 14, 2011, at Sparrows Point Middle School beginning at 7:00 p.m.
ANNOUNCEMENTS (cont)

- The Northwest Area Education Advisory Council will hold its next meeting on Tuesday, November 15, 2011, at Church Lane Elementary School beginning at 7:00 p.m.

- The Southwest Area Education Advisory Council will hold its next meeting on Wednesday, November 16, 2011, at Arbutus Elementary School beginning at 7:00 p.m.

- The Board of Education of Baltimore County will hold its next meeting on Tuesday, November 22, 2011, at Greenwood. The meeting will begin with an open session at approximately 5:15 p.m. The Board will then adjourn to meet in closed session. The open session will reconvene at approximately 6:30 p.m. The public is welcome to all open sessions.

ADJOURNMENT

Since there was no further business, the Board adjourned its meeting at 9:42 p.m.

Respectfully submitted,

___________________
Joe A. Hairston
Secretary-Treasurer
/bls
DATE: December 6, 2011
TO: BOARD OF EDUCATION
FROM: Dr. Joe A. Hairston, Superintendent
SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 1230 – AREA EDUCATION ADVISORY COUNCILS (AEAC)
ORIGINATOR: Renee A. Foose, Deputy Superintendent
RESOURCE PERSON(S): Michele O. Prumo, Chief of Staff

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 1230 – Area Education Advisory Councils (AEAC). This is the third reading.

*****

Attachment I – Policy Analysis
Attachment II – Policy 1230
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 1230
AREA EDUCATION ADVISORY COUNCILS (AEAC)

Statement of Issues or Questions Addressed
Board of Education Policy 1230 establishes the Area Education Advisory Councils, outlines the committee’s purpose, and establishes the organization of membership on the AEAC. The Policy Review Committee has been asked to revisit Policy 1230 and recommend changes to the membership requirements and terms of office.

As directed by the Board, staff is recommending that the policy be revised to: (1) Remove redundancy in the selection of members under Section V; (2) Remove limits on the number of terms a member may serve in Section VI; (3) Increase the number of times that the AEAC Coordinator may be reappointed in Section VI.

The recommendations have been reviewed with the Board President, Vice President, and the Area Advisory Council Coordinator.

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 1200, Community Involvement
2. Board of Education Policy 1270, Parent and Family Involvement

Legal Requirements
1. Annotated Code of Maryland, Education Article §4-112, Advisory Committees

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy KB, Advisory Committees to the Board
2. Frederick County Board of Education, Policy 101, Organization of the Board
3. Harford County Board of Education, Policy 10-0002-000, Harford County Board of Education Citizen Advisory Committees
4. Howard County Board of Education, Policy 2060, Advisory Committees to the Board of Education

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered.
Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
COMMUNITY RELATIONS: Community Involvement

Area Education Advisory Councils (AEAC)

I. Philosophy

The Board of Education of Baltimore County (Board) believes that area education advisory councils (AEAC) exist to improve the quality of education in Baltimore County and to strengthen the relationship between the school system and the community by serving as informed advisors to the Board on public school issues and by promoting interest and involvement in the school system. The Board establishes the AEAC as a standing committee which reports directly to the Board. With careful attention to input from the community, AEACs are charged with advising the Board on issues that affect students, families, communities, and schools.

II. Definitions

A. **Advisory Chair** – The person selected in each geographic area of the county, who holds office in, or leads, the AEAC.

B. **Area Education Advisory Coordinator** – The person appointed by the Board who oversees the activities of all of the Board’s AEAC.

C. **GEOGRAPHIC AREAS OF BALTIMORE COUNTY** – DEMARCATED AREAS WHICH REPRESENT THE SOUTHEAST, SOUTHWEST, CENTRAL, NORTHEAST, AND NORTHWEST AREAS OF BALTIMORE COUNTY BASED ON GEOGRAPHY AND THE NUMBER OF SCHOOLS WITHIN THE DESIGNATED AREAS.

III. Scope

A. The Board establishes AEACs as instruments to promote interest and involvement in the school system. The Board cannot delegate its authority or responsibility for decision and policy making.

B. The Board will receive and carefully consider all recommendations and suggestions of the AEAC but cannot be obligated to adopt them.
IV. Organization

A. There shall be an AEAC in each of the five geographic areas of the county: Southeast, Northeast, Central, Northwest, and Southwest.

B. Each AEAC shall consist of no more than fifteen (15) community members, which may include no more than two (2) student members appointed by, and responsible to, the Board.

C. In order to request staff presentations, each AEAC Chair must direct his/her request to the Chief of Staff.
   1. The Chief of Staff shall coordinate with each AEAC Chair any request for Baltimore County Public School’s (BCPS) staff presentation.

D. Each AEAC shall elect its own officers and develop a program plan.

E. The Board shall appoint a Coordinator for its AEACs.
   1. The Coordinator may not simultaneously serve as a member of any AEAC.
   2. The Coordinator shall serve as a member *ex officio* on each of the Board’s AEACs.

F. The Board shall provide appropriate support to assist the AEAC.

G. Close communication between the AEAC and the Board shall be maintained. The Board shall provide opportunities for the AEAC to present comments or reports to the Board. The council Chair shall present all such reports to the Board at its regularly scheduled business meetings.

H. Board members are encouraged to attend the joint meetings of the AEAC.

V. Membership

A. The Board shall make all appointments to the AEAC in its sole discretion. Every effort should be made to ensure that the membership is representative of the area it serves, including, but not limited to, membership that is geographically balanced within the area.

   [The Board shall select members who represent the communities in each of the five geographic areas.] No more than three (3) employees of the school system may serve on each AEAC.
B. Individual citizens, Parent/Teacher (Student) Associations (PTSA), and other community organizations may recommend candidates for membership on the AEAC for Board consideration by forwarding recommendations to the appropriate AEAC Chair.

[C. The Board shall make all appointments to the AEAC in its sole discretion. Every effort should be made to ensure that the membership is representative of the area it serves, including, but not limited to, membership that is geographically balanced within the area.]

C. [D] Up to two (2) members of each AEAC [shall] MAY be students whose appointment shall be governed by the following procedures and conditions.
1. Appointments shall be made in May. To be eligible for appointment, students shall be enrolled in good standing and pre-registered in the eleventh (11th) or twelfth (12th) grade of one of the high schools in the respective geographic area.
2. Appointments of student members shall continue until the time of their graduation. Membership on the AEAC shall terminate at any time during the year that the student ceases to be enrolled in good standing in one of the high schools in the area.
3. Upon request from the Board, the Baltimore County Student Councils (BCSC) may recommend a student member for the AEAC by submitting names of eligible students for Board consideration.
4. Stakeholder groups and principals may also suggest names of candidates for student membership for Board consideration.
5. Recommendations for student members shall be forwarded to the appropriate AEAC for informational purposes.
6. The Board, in its sole discretion, shall appoint all student members to the AEAC. The Board will attempt to rotate appointments among all of the high schools in the respective area.

VI. Terms of Office

A. The term of office for council members MAY be NO LESS THAN [shall] three (3) years. [Members shall be eligible for appointment to no more than two consecutive terms.]

B. The term of office for the AEAC Coordinator shall be two (2) years. The Coordinator shall be eligible for TWO [one (1)] reappointments.
C. Termination of Membership
1. If a member is absent for three (3) or more meetings during a one-year period without sufficient reason, the AEAC may recommend to the Board termination of the individual’s membership on the AEAC.
2. The Board may terminate an individual’s membership at its discretion.

VII. Advisory Chair

A. In order to be eligible for appointment as a Chair, a person must serve at least two (2) years on an AEAC.

B. Nominations for Chair may be made by the AEAC.

C. Duties of the Chair
1. The Chair, in consultation with the Board and the AEAC Coordinator, shall assist in the following:
   a. On an annual basis, provide orientation for all new members of the AEACs;
   b. Organize an annual meeting of the council members for planning purposes;
   c. Generate publicity countywide regarding the work of the AEAC;
   d. Recognize the work of council members.

VIII. Functions

A. The role of the AEAC established under this policy shall be strictly advisory. The AEAC may not make policy; however, the councils, through the council Chair, may make recommendations about policy to the Board.

B. The role of the AEAC is to address area, community, or school system concerns. The AEAC shall refrain from discussing individual school and personnel matters, instead advising their constituents to address these concerns through appropriate administrative channels.

C. The AEAC may obtain the assessment of community feeling and reaction to issues and transmit opinions to the Board.

D. The AEAC may function as a sounding body for proposals, which are in the developmental stages.
E. AEAC members may be invited to participate in study groups, BCPS committees, and task forces when appropriate. The AEAC may advise the Board regarding the need to hold public hearings on issues of interest or concern to the public.

F. Within the framework of its advice and communication functions with the Board and the community, the AEAC may wish to have presentations and/or discussions such as:
1. Hearing reports on curriculum projects.
2. Discussing ideas on patterns of school organization and advising the Board on proposed programs.
3. Examining student enrollments.
4. Studying and communicating perspectives regarding educational specifications for new schools.
5. Studying and communicating community perspectives regarding architectural planning and design.
6. Reviewing physical needs in older buildings and becoming involved both in recommendations and the communication of plans and progress.
7. Receiving information on budget preparations and offering suggestions on items for inclusion and emphasis.
8. Enlisting community support for meeting the needs of the school system.
9. Engaging in fact-finding in a variety of areas, which might include transportation and extended services, with a view toward apprising the Board on conditions and needs.
10. Serving as an instrument to strengthen the relationship between the school, community, and school system.

G. The AEAC should provide an opportunity for interested citizens and community groups to offer suggestions for analysis and possible recommendations.

IX. Application Process

A. Anyone interested in serving on an AEAC may contact the AEAC Coordinator or his/her Chair to indicate his/her interest.

B. The person shall submit a resume to the Board of Education office and forward a copy to the AEAC Coordinator and Chair.
C. The Administrative Assistant to the Board will acknowledge receipt of the application for appointment by return electronic mail to the Coordinator, the appropriate AEAC Chair, and to the applicant, where communication by electronic mail is available.

D. The Board will make every effort to make a determination regarding the applicant’s appointment within one month of receiving the resume/application.

E. The Board shall notify the AEAC Coordinator of the appointment and inform him/her when the appointment will be announced. If the Board declines to appoint the applicant, the Board will contact the Coordinator. In either case, the Coordinator shall inform the Chair and the applicant of the Board’s decision.

Legal References:  Annotated Code of Maryland, Education Article § 4-112, Advisory Committees

RELATED POLICIES:  BOARD OF EDUCATION POLICY 1200, COMMUNITY INVOLVEMENT
BOARD OF EDUCATION POLICY 1270, PARENT AND FAMILY INVOLVEMENT

Policy  Board of Education of Baltimore County
Adopted:  04/22/76
Revised:  06/22/78
Revised:  04/26/79
Revised:  09/27/90
Revised:  11/06/01
Revised:  09/19/06
Revised:  01/12/11
REVISED:  _________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 1240 – VISITS TO SCHOOLS

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele O. Prumo, Chief of Staff

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 1240 – Visits to Schools. This is the third reading.

*****

Attachment I – Policy Analysis
Attachment II – Policy 1240
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 1240
VISITS TO SCHOOLS

Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 1240 is scheduled for review in school year 2011-2012. Policy 1240 encourages visitors in our schools while establishing procedures for screening, scheduling meetings, and excluding visitors from school premises. Staff is recommending that Policy 1240 be revised to: (1) Rename the policy to “Visitors in Schools;” (2) Include a philosophy statement that encourages participation in our schools while providing procedures to ensure a safe and secure school environment; (3) Include an implementation section; (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 1200, Community Involvement
2. Board of Education Policy 1260, School Volunteers
3. Board of Education Policy 1270, Parent and Family Involvement

Legal Requirements
1. Annotated Code of Maryland, Education Article §26-101, Disturbing Activities at School or College; Molesting or Threatening Students.
2. Annotated Code of Maryland, Education Article §26-102, Trespass on the Grounds of a Public Institution of Elementary, Secondary, or Higher Education.
3. Annotated Code of Maryland, Criminal Law Article §6-409, Refusal or Failure to Leave Public Building or Grounds.
4. Annotated Code of Maryland, Criminal Procedure Article §11-722, Entry onto School or Day Care Property Prohibited.

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy KD, Visitors to the Schools
2. Harford County Board of Education, Policy 06-0029-000, Visitors
3. Howard County Board of Education, Policy 3020, Trespassing or Willful Disturbance

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered.
Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
COMMUNITY RELATIONS: Community Involvement

VISITORS TO SCHOOLS [Visits to Schools]

I. PHILOSOPHY

THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) ENCOURAGES THE PARTICIPATION OF FAMILIES AND THE COMMUNITY IN THE BALTIMORE COUNTY PUBLIC SCHOOLS AND ENCOURAGES VISITORS TO VISIT CLASSROOMS AND PARTICIPATE IN SCHOOL PROGRAMS. THE BOARD RECOGNIZES ITS PRIMARY RESPONSIBILITY TO PROVIDE A SCHOOL ENVIRONMENT THAT IS SAFE AND SECURE FOR ALL STUDENTS, STAFF, AND THE SCHOOL COMMUNITY THROUGH APPROPRIATE IDENTIFICATION OF VISITORS.

II. IMPLEMENTATION

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

[The Superintendent of Schools is authorized to establish procedures which shall:

a. Encourage visitors to observe instruction and participate in school programs.

b. Provide for a safe and secure environment through appropriate identification of visitors.]

LEGAL REFERENCES: ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §26-101, DISTURBING ACTIVITIES AT SCHOOL OR COLLEGE; MOLESTING OR THREATENING STUDENTS.

ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §26-102, TRESPASS ON THE GROUNDS OF A PUBLIC INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION.

ANNOTATED CODE OF MARYLAND, CRIMINAL LAW ARTICLE §6-409, REFUSAL OR FAILURE TO LEAVE PUBLIC BUILDING OR GROUNDS.
ANNOTATED CODE OF MARYLAND, CRIMINAL PROCEDURE ARTICLE §11-722, ENTRY ONTO SCHOOL OR DAY CARE PROPERTY PROHIBITED.

RELATED POLICIES: BOARD OF EDUCATION POLICY 1200, COMMUNITY INVOLVEMENT
BOARD OF EDUCATION POLICY 1260, SCHOOL VOLUNTEERS
BOARD OF EDUCATION POLICY 1270, PARENT AND FAMILY INVOLVEMENT

Policy
Adopted: 10/09/69
Revised: 06/23/77
Revised: 03/27/07
REVISED: __________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED DELETION OF BOARD OF EDUCATION POLICY 1250 – PARTICIPATION IN THE LOCAL SCHOOL BY COMMUNITY MEMBERS

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele O. Prumo, Chief of Staff

RECOMMENDATION

That the Board of Education approves the proposed deletion to Policy 1250 – Participation in the Local School by Community Members. This is the third reading.

*****

Attachment I – Policy Analysis
Attachment II – Policy 1250
Policy Analysis for
Board of Education Policy 1250
Participation in the Local School by Community Members

Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 1250 is scheduled for review in school year 2011-2012. Policy 1250 concerns participation of community members in our schools. Staff is recommending that Policy 1250 be deleted because Policy 1270, Parent and Family Involvement, is required to be reviewed annually by the No Child Left Behind Act and includes community involvement as integral to academic success of all students; further, Policy 1270’s implementing Rule encourages communication, volunteerism, collaboration with the community, and partnerships. Finally, Policy 1200, Community Involvement, further outlines the Board’s support of community participation and input regarding the school budget, academic programs, Board policies, and other school system activities. As such, the policy is redundant 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
1. Board of Education Policy 1100, Communication with the Public
2. Board of Education Policy 1200, Community Involvement
3. Board Of Education Policy 1210, Parent-Teacher (Student) Associations
4. Board of Education Policy 1260, School Volunteers
5. Board of Education Policy 1270, Parent and Family Involvement

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. Anne Arundel County Board of Education, Policy KH, Parent/Family/Community Involvement
2. Baltimore City Board of School Commissioners, Policy KCA, Family and Community Engagement Policy
3. Calvert County Board of Education, Policy 8123, (Community) of the Board of Education Regarding Parent, Family, and Community Involvement
4. Carroll County Board of Education, Policy KC, Parent/Family/Community Involvement
5. Harford County Board of Education, Policy 10-0004-000, Parent/Community Involvement
6. Howard County Board of Education, Policy 10000, Parent, Family, and Community Involvement
7. Montgomery County Board of Education, Policy ABA, Community Involvement
8. Prince George’s County Board of Education, Policy 0105, Parent Involvement in Schools
9. Prince George's County Board of Education, Policy 1351, Community Relations: Roles and Responsibilities of Parents
Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
COMMUNITY RELATIONS: Community Involvement

Participation in the Local School By Community Members

The Board of Education of Baltimore County encourages interest and support of community members with regard to the program of education in its schools. It is evident that meaningful involvement by, and partnership with, members of the community offers the potential to produce an improved educational environment for all students. Community members may include parents/guardians, parent groups, businesses, civic groups, and various concerned individuals.

In order to provide for community involvement:

1. The principal will continue to maintain year-round, regular channels of communication with parents/guardians and other community members to provide information about school programs, resources, policies, issues and performance. Information the principal believes may be of interest to the community or in which persons have indicated an interest, should be shared with the community.

2. The principal will continue to provide opportunities for the local community to:
   a. Offer feedback on issues that pertain to the local school; and
   b. Become familiar with local school rules and procedures.

Policy Board of Education of Baltimore County
Adopted: 2/10/77
Revised: 3/27/07]
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3130 – PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS

ORIGINATOR: Renee A. Foose, Deputy Superintendent

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

RECOMMENDATION

That the Board of Education approves the proposed changes of Policy 3130. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 3130
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 3130
SCHOOL ACTIVITY FUNDS – RELATIONSHIPS WITH PRIVATE BUSINESS FOR PURPOSE OF PROVIDING PRODUCTS OR SERVICES FOR PURCHASE WITH STUDENT FUNDS

RENAMED AS,
“PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS”

Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 3130 is scheduled for review in school year 2011-2012. Policy 3130 addresses using businesses to provide/market/sell to students certain products and services. Staff is recommending that the policy be revised to: (1) add a policy statement; (2) specify that principals are the only administrators who may enter into contractual relationships; (3) delete language concerning the specifics of permissible purchases (which will be incorporated in a new Superintendent’s Rule); (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 1300, Use of School Facilities
2. Board of Education Policy 3000, Non-Instructional Services
3. Board of Education Policy 3209, Purchasing Principles
4. Board of Education Policy 3215, Contracts
5. Board of Education Policies, Sub Series 8360, Ethics Code

Legal Requirements
1. None

Similar Policies Adopted by Other Local School Systems
1. Harford County Board of Education, Policy 06-0016-000, School Pictures
2. Harford County Board of Education, Policy 06-0019-000, Handling the Sale of Merchandise to Students
3. Howard County Board of Education, Policy 4020, Fund Raising
4. Howard County Board of Education, Policy 4030, Accountability of School Activity Funds
5. Howard County Board of Education, Policy 4050, Procurement of Materials, Equipment, and Services

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered.
Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
POLICY 3130

NON-INSTRUCTIONAL SERVICES: NON-INSTRUCTIONAL SERVICES
[Fiscal Services]

PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS

[ACCOUNTING AND CASH MANAGEMENT: School Activity Funds - Relationships with Private Business for Purpose of Providing Products or Services to Students]

I. POLICY STATEMENT

A. The Board of Education of Baltimore County (BOARD) UNDERSTANDS THAT MERCHANDISE PURCHASED FOR ULTIMATE SALE TO STUDENTS PRESERVES AND ENHANCES SCHOOL SPIRIT AND MORALE IN THE BALTIMORE COUNTY PUBLIC SCHOOLS.

B. THE BOARD AUTHORIZES THE SUPERINTENDENT TO DESIGNATE THOSE SCHOOL OFFICIALS WHO, or an individual school,[ may enter into a relationship with a private business [firm] for the purpose of MAKING SELECT [providing desirable] products or services AVAILABLE for PURCHASE WITH STUDENT FUNDS [students], AS LONG AS THE HIGHEST STANDARDS OF ETHICAL BEHAVIOR ARE INCORPORATED. THE COMPETITIVE NATURE OF PUBLIC PURCHASING AND THE EFFICIENT USE OF PUBLIC FUNDING REQUIRES THAT ETHICAL STANDARDS BE INCORPORATED INTO ALL PURCHASING FUNCTIONS. ACCORDINGLY, ALL EMPLOYEES, CONSULTANTS, AND VOLUNTEERS SEEKING RELATIONSHIPS WITH PRIVATE BUSINESSES, ARE SUBJECT TO THE BOARD OF EDUCATION’S ETHICS CODE POLICIES.

[Any profit accruing to a school in the course of such business shall be secondary to the prime purpose of providing only those products or services which are deemed to be desirable in relation to the school program. All such profit shall be applied to school activities which directly benefit students. All such business arrangements in an individual school shall be approved by the principal.

The competitive nature of public purchasing and the efficient use of public funding requires that ethical standards be incorporated into all purchasing functions. Accordingly, all employees and volunteers, seeking relationships with private businesses, are subject to the Board of Education’s ethics code policies.
Specific Examples of permissible sales of products or services purchased from selected suppliers would be the following:

1. School jewelry, pennants, spirit apparel, yearbooks, caps and gowns, invitations, name cards, and other class accessories

2. School supplies which support the curricular program as sold in school stores

3. Pictures taken of students, individually or in groups.

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO DEVELOP GUIDELINES FOR THE IMPLEMENTATION OF THIS POLICY.

Related Policies: BOARD OF EDUCATION Policy 1300, Use of School Facilities
BOARD OF EDUCATION POLICY 3000, NON-INSTRUCTIONAL SERVICES
BOARD OF EDUCATION POLICY 3209, PURCHASING PRINCIPLES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICIES, SUB SERIES 8360, Ethics Code [Policy 8360 (and all policies within this sub-series) – Ethics Code]
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3225 – FURNITURE, FIXTURES, AND EQUIPMENT

ORIGINATOR: Renee A. Foose, Deputy Superintendent

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

RECOMMENDATION

That the Board of Education approves the proposed changes of Policy 3225. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 3225
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 3225
FURNITURE, FIXTURES, AND EQUIPMENT

Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Policy 3225 is scheduled for review in school year 2011-2012. Policy 3225 concerns the purchase of furniture, fixtures, and equipment following new school construction, building renovations, and additions. Staff is recommending that the policy be revised to: (1) include a policy statement that reflects the Board’s commitment to include these items in the total construction budget, and (2) 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 3000, Non-Instructional Services
2. Board of Education Policy 3200, Purchases from Minority and Small Business Enterprises
3. Board of Education Policy 3209, Purchasing Principles
4. Board of Education Policy 3210, Purchasing Guides
5. Board of Education Policy 3220, Inventories
6. Board of Education Policy 7310, Determination of School Construction Costs

Legal Requirements
1. Annotated Code of Maryland, Education Article §5-112, Bids

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy DE, Purchasing Authority
2. Harford County Public Schools, Policy 18-0002-000, Contracting and Procurement, Minority Business Enterprises Policy for State Funded Public School Construction
3. Howard County Board of Education, Policy 6020, School Planning/School Construction Programs

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
Make no revisions and leave the policy as originally written.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
I. POLICY STATEMENT

A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) RECOGNIZES THAT THE NEED MAY ARISE TO PLAN, DESIGN, AND CONSTRUCT NEW EDUCATIONAL FACILITIES OR TO RENOVATE OR BUILD ADDITIONS TO AN EXISTING SCHOOL TO ADVANCE STUDENT SUCCESS. THE BOARD FURTHER BELIEVES THAT THESE CONSTRUCTION PROJECTS SHOULD INCLUDE IN THE TOTAL PROJECT BUDGET THE COST OF THE PURCHASE OF FURNITURE, FIXTURES, AND EQUIPMENT REQUIRED FOR USE IN THE FACILITY.

II. IMPLEMENTATION

A. The Superintendent shall establish administrative procedures for the selection, purchase, and installation of furniture, fixtures, and equipment for new school projects, building renovations AND [or] additions. These procedures shall conform to applicable state and local laws and regulations, and shall support the educational, functional, and architectural requirements and design of the school program.

LEGAL REFERENCES: ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-112, BIDS

RELATED POLICIES: BOARD OF EDUCATION POLICY 3000, NON-INSTRUCTIONAL SERVICES
BOARD OF EDUCATION POLICY 3200, PURCHASES FROM MINORITY AND SMALL BUSINESS ENTERPRISES
BOARD OF EDUCATION POLICY 3209, PURCHASING PRINCIPLES
BOARD OF EDUCATION POLICY 3210, PURCHASING GUIDES
BOARD OF EDUCATION POLICY 3220, INVENTORIES
BOARD OF EDUCATION POLICY 7310, DETERMINATION OF SCHOOL CONSTRUCTION COSTS
Policy Board of Education of Baltimore County
Adopted: 09/25/69
Revised: 07/13/99
Revised: 06/10/03
Revised: 09/06/06
REVISED: _________
BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED NEW BOARD OF EDUCATION POLICY 4008 – DATA GOVERNANCE

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele O. Prumo, Chief of Staff
      Dale R. Rauenzahn, Executive Director, Student Support Services
      Frank Curnoles, Manager, Technology, Student Data

RECOMMENDATION

That the Board of Education approves the proposed new Policy 4008, Data Governance. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 4008
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY NEW 4008
DATA GOVERNANCE

Statement of Issues or Questions Addressed
A new policy has been developed to establish a framework of standards and guidelines to be followed in the management of school system data, including maintaining the confidentiality, integrity, and availability of these data is critical to the success of the mission of the Baltimore County Public Schools. Currently, the school system does not have a single, unified data governance policy that defines its expectations regarding the stewardship of its administrative and student data. This new policy directs that guidelines be implemented for the proper stewardship and custody of data and to inform users of their responsibilities.

Cost Analysis and Fiscal Impact on School System
Employees identified as “data stewards” will be required to implement this policy; it is not expected that additional staff will be required. Additional data quality and master data management tools will also be required, as well as training for employees. Funding has been secured through the Race to the Top grant (Project 7).

Relationship to Other Board of Education Policies
1. Board of Education Policy 3170, Quality Management System
2. Board of Education Policy 4002, Obligations of the Employees of the Board of Education of Baltimore County
3. Board of Education Policy 4104, Telecommunications Access to Electronic Information, Services and Networks
4. Board of Education Policy 5230, Student Records
5. Board of Education Policy 8361, Statement of Purpose and Policy
6. Related Rule: Superintendent’s Rule 2373, Public Information Act Request: Schedule of Fees

Legal Requirements
1. 18 U.S.C. §2701-2711, Electronic Communications Privacy Act
2. 20 U.S.C. §1232g, Family Educational Rights and Privacy Act (FERPA)
3. 42 U.S.C. §1320d-1, Health Insurance Portability and Accountability Act (HIPAA)
4. Annotated Code of Maryland, State Gov’t §§10-611 to -630, Access to Public Records (Maryland Public Information Act)
5. COMAR 13A.08.02, Student Records

Similar Policies Adopted by Other Local School Systems
1. Howard County Public Schools, Policy 3040, Technology Security
2. Atlanta Board of Education, Georgia, Policy EF, Information Security
Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
Staff considered revising Board of Education Policy 4006, Telecommunications Access to Electronic Information, Services and Networks; however, the recommended policy is significantly broader in scope and addresses data issues beyond the acceptable use of technology.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
PERSONNEL: GENERAL

DATA GOVERNANCE

I. POLICY STATEMENT

DATA AND RECORDS STORED ON BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) INFORMATION SYSTEMS ARE THE PROPERTY OF BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS). MAINTAINING THE CONFIDENTIALITY, INTEGRITY, AND AVAILABILITY OF DATA SUPPORTING THE WORK OF THE EDUCATIONAL AND ADMINISTRATIVE FUNCTIONS OF THE SCHOOL SYSTEM IS CRITICAL TO THE SUCCESS OF THE MISSION OF THE BOARD. THIS DATA IS A STRATEGIC ASSET TO THE SCHOOL SYSTEM AND SHOULD BE MANAGED ACCORDING TO SOUND DATA GOVERNANCE PROCEDURES

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO PRESERVE THE SECURITY AND INTEGRITY OF SCHOOL SYSTEM DATA AND RECORDS, IMPLEMENT GUIDELINES FOR PROPER STEWARDSHIP AND CUSTODIANSHIP OF DATA, AND INFORM USERS OF DATA OF THEIR RESPONSIBILITIES.

LEGAL REFERENCES: 18 U.S.C. §2701-2711, ELECTRONIC COMMUNICATIONS PRIVACY ACT
20 U.S.C. §1232g, FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
42 U.S.C. §1320d-1, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)
ANNOTATED CODE OF MARYLAND, STATE GOV’T §§10-611 to -630, ACCESS TO PUBLIC RECORDS (MARYLAND PUBLIC INFORMATION ACT)
COMAR 13A.08.02, STUDENT RECORDS
RELATED POLICIES: BOARD OF EDUCATION POLICY 3170, QUALITY MANAGEMENT SYSTEM (QMS)
BOARD OF EDUCATION POLICY 4002, OBLIGATIONS OF THE EMPLOYEES OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY
BOARD OF EDUCATION POLICY 4104, TELECOMMUNICATIONS ACCESS TO ELECTRONIC INFORMATION, SERVICES AND NETWORKS
BOARD OF EDUCATION POLICY 5230, STUDENT RECORDS
BOARD OF EDUCATION POLICY 8361, STATEMENT OF PURPOSE AND POLICY

RELATED RULE: SUPERINTENDENT’S RULE 2373, PUBLIC INFORMATION ACT REQUESTS
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED NEW BOARD OF EDUCATION POLICY 4009 – EMERGENCY CLOSINGS-EMPLOYEE ATTENDANCE

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Donald Peccia, Assistant Superintendent, Human Resources
                    George M. Duque, Manager, Office of Staff Relations

RECOMMENDATION

That the Board of Education approves the proposed new Policy 4009 – Emergency Closings – Employee Attendance. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 4009
POLICY ANALYSIS FOR
BOARD OF EDUCATION NEW POLICY 4009
EMERGENCY CLOSINGS – EMPLOYEE ATTENDANCE

Statement of Issues or Questions Addressed
Staff is recommending that a new policy be adopted to govern employee attendance during emergencies such as inclement weather. This policy and its implementing Superintendent’s Rule support the Board of Education’s commitment to the effective and efficient operation of the school system by providing clear guidance to employees regarding their responsibility to report to work when schools and/or offices are closed for emergencies.

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 4100, Employee Conduct and Responsibilities
2. Board of Education Policy 4203, Absences and Leaves

Legal Requirements
1. Annotated Code of Maryland, Education Article §4-205, Powers and duties of the county superintendent
2. Annotated Code of Maryland, Education Article §7-103, Required school days and holidays

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy GAI, Work Days – Inclement Weather
2. Calvert County Board of Education, Policy 1510, School Closings, Delayed Openings and Early Dismissals Due to Emergencies
3. Caroline County Board of Education, Policy 1.12.40, Inclement Weather Work Regulations
4. Dorchester County Board of Education, Policy 602.2, Inclement Weather (Snow Days)
5. Harford County Board of Education, Policy 20-0003-000, Closing Schools Temporarily
6. Howard County Board of Education, Policy 3010, Emergency Closing of Schools
7. Somerset County Board of Education, Policy 700-13, Work Schedule and Leave for Employees of Somerset County Public Schools: Emergency Closing of Schools

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered by staff.
Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
EMERGENCY CLOSINGS – EMPLOYEE ATTENDANCE

I. POLICY STATEMENT

A. THE SUPERINTENDENT IS AUTHORIZED TO CLOSE SCHOOLS, OR MODIFY THE OPENING OR CLOSING TIMES DURING ADVERSE WEATHER CONDITIONS AND OTHER UNFORSEEABLE EMERGENCIES, AS HE/SHE DEEMS APPROPRIATE FOR THE SAFE AND PROPER ADMINISTRATION OF THE SCHOOL SYSTEM.

B. EMPLOYEES SHALL BE RESPONSIBLE FOR REPORTING TO THEIR WORK ASSIGNMENTS CONSISTENT WITH THIS POLICY AND ITS IMPLEMENTING RULE, APPLICABLE BARGAINING UNIT MASTER AGREEMENTS, JOB DESCRIPTIONS, OR AS DIRECTED BY THEIR OFFICE OR DEPARTMENT HEAD.

II. IMPLEMENTATION

A. THE BOARD DIRECTS THE SUPERINTENDENT TO DEVELOP APPROPRIATE RULES AND PROCEDURES THAT ADVISE EMPLOYEES OF THEIR RESPONSIBILITIES FOR REPORTING TO WORK DURING EMERGENCY CLOSURES AND FOR ACCOUNTING FOR ANY TIME LOST IF EMPLOYEES FAIL TO REPORT TO WORK.

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

ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-103, REQUIRED SCHOOL DAYS AND HOLIDAYS
POLICY 4009

RELATED POLICIES: BOARD OF EDUCATION POLICY 4100, EMPLOYEE CONDUCT AND RESPONSIBILITIES
BOARD OF EDUCATION POLICY 4203, ABSENces AND LEAVES

POLICY BOARD OF EDUCATION OF BALTIMORE COUNTY
ADOPTED: ______________
Baltimore County Public Schools

Date: December 6, 2011

To: Board of Education

From: Dr. Joe A. Hairston, Superintendent

Subject: Consideration of the Proposed Changes to Board of Education Policy 5140 – School Attendance Areas

Originator: Renee A. Foose, Deputy Superintendent

Resource Person(s): Michele O. Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services
Sharon Ochs, Coordinator, Pupil Personnel Services

Recommendation

That the Board of Education approves the proposed changes to Policy 5140, School Attendance Areas. This is the third reading.

* * * *

Attachment I – Policy Analysis
Attachment II – Policy 5140
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 5140
SCHOOL ATTENDANCE AREAS

Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 5140 is scheduled for review in school year 2011-2012. Policy 5140 establishes school attendance areas and requires that students be enrolled in the school serving their attendance area, unless special permission is granted to attend a school outside the attendance area. Staff is recommending the following revisions: (1) Include a policy statement declaring the Board’s authority to establish geographical attendance areas; (2) delete unnecessary language or language that is procedural and currently included in the Superintendent’s Rule; (3) Conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System
No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies
1. Board of Education Policy 5110, Admission
2. Board of Education Policy 5150, Residents and Nonresidents
3. Board of Education Policy 6400, Magnet School Schools and Programs

Legal Requirements
1. Annotated Code of Maryland, Education Article §4-101, Control and Promotion of Education
2. Annotated Code of Maryland, Education Article §4-109, Establishment of Public Schools

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy JAB, Assignment and/or Transfer of Students to a School
2. Howard County Board of Education, Policy 9000, Enrollment, Residency, Student Assignment and Admission to Pre-K and Kindergarten
3. Prince George’s County Board of Education, Policy 5110.2, Attendance

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other options were considered

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
STUDENTS: Enrollment and Attendance

School Attendance Areas

I. POLICY STATEMENT

A. MARYLAND’S PUBLIC SCHOOL LAW CONFERS ON THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) THE RESPONSIBILITY TO CONTROL EDUCATIONAL MATTERS THAT AFFECT THE COUNTY AND PROMOTE THE INTERESTS OF THE SCHOOLS UNDER ITS JURISDICTION. THE BOARD HAS ESTABLISHED THE BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM (BCPS) WHICH IS MAINTAINED FOR THE EDUCATION OF STUDENTS WHO ARE DOMICILED WITH THEIR PARENTS IN BALTIMORE COUNTY.

B. The Board HAS ESTABLISHED TO AVOID OVER UTILIZATION OF SOME SCHOOLS AND THE UNDER UTILIZATION OF OTHERS. [of Education will establish] geographical attendance areas for each BCPS school [and keep records thereof in accordance with the Public School Laws of Maryland.] STUDENTS ARE ASSIGNED TO SCHOOLS IN THE SCHOOL ATTENDANCE AREAS WHERE THEY ARE DOMICILED, UNLESS APPROVAL IS GIVEN IN ACCORDANCE WITH THE APPLICABLE BOARD OF EDUCATION POLICIES AND SUPERINTENDENT’S RULES.

[In order to use efficiently the facilities available, it is necessary to control the student population by careful school districting. For this reason, school boundaries shall be described in detail and approved by the Board of Education. Whenever a new school is built, or a school is closed, appropriate attendance areas shall be outlined in order to relieve the surrounding schools of being overcrowded, while at the same time making provision for safe, efficient, adequate, and economical school transportation service.]
II. IMPLEMENTATION

The Board of Education recognizes that circumstances may arise which will cause parents or guardians to request permission for a student to attend a school other than the school within the attendance area in which the student resides. THE SUPERINTENDENT IS DIRECTED TO DEVELOP PROCEDURES AND GUIDELINES FOR THE ENROLLMENT OF STUDENTS IN SCHOOLS OUTSIDE OF THEIR ASSIGNED ATTENDANCE AREAS.

[The Superintendent of Schools has delegated the responsibility of determining if the transfer should be granted to the principal of the requested school. The requested school principal has the responsibility and the authority to make the decisions and implement the transfer.

Decisions to review special permission transfers will be based upon the circumstances involved and the information and recommendations received from various sources. A special transfer represents an opportunity for a student to benefit from attendance at a school other than the one zoned for his/her domicile. Special transfers are intended to provide for those students who can benefit from a change of schools, but without disrupting the educational opportunities of students at the newly assigned school. The special transfer of a student may be reviewed and/or revoked.]

Legal ReferenceS: ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-101, CONTROL AND PROMOTION OF EDUCATION ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-109, ESTABLISHMENT OF PUBLIC SCHOOLS

[Annotated Code of Maryland, Education Article Section 4-109
Establishment of public schools]

RELATED POLICIES: BOARD OF EDUCATION POLICY 5110, ADMISSION
BOARD OF EDUCATION POLICY 5150, RESIDENTS AND NONRESIDENTS
BOARD OF EDUCATION POLICY 6400, MAGNET SCHOOL SCHOOLS AND PROGRAMS
POLICY 5140

[Also See: Boundary Change Practices
Policy 3410, NON-INSTRUCTION SERVICES:
Transportation Services]

Policy                                                                 Board of Education of Baltimore County
Adopted: 12/13/73
Revised: 03/12/80
Revised: 07/12/84
Revised: 10/12/93
Revised: 04/11/00
Revised: 06/12/07
REVISED: ____________________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 5150 – RESIDENTS AND NONRESIDENTS

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Michele O. Prumo, Chief of Staff
Dale R. Rauenzahn, Executive Director, Student Support Services
Sharon Ochs, Coordinator, Pupil Personnel Services

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 5150, Residents and Nonresidents. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 5150
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 5150
RESIDENTS AND NONRESIDENTS

Statement of Issues or Questions Addressed
Board of Education Policy 5150 was last reviewed in 2000. Policy 5150 addresses the enrollment of resident and nonresident children. Staff is recommending that the policy be revised to: (1) include a philosophy statement; (2) delete language restating the law; (3) include an implementation section that directs the superintendent to establish procedures for the verifying domicile and assessing tuition under certain circumstances; (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 3610, Tuition Fees
2. Board of Education Policy 5100, Compulsory Attendance
3. Board of Education Policy 5110, Admission
4. Board of Education Policy 5140, School Attendance Areas
5. Board of Education Policy 6400, Magnet Schools And Programs

Legal Requirements
1. 42 U.S.C. §11431, et seq., McKinney-Vento Homeless Education Assistance Improvement Act
2. Annotated Code of Maryland, Education Article §4–109, Establishment of Public Schools
3. Annotated Code of Maryland, Education Article §4–121, Schools near Boundary of Two Counties
4. Annotated Code of Maryland, Education Article §4–122, Funding for Education of Children in Out-Of-County Living Arrangements
5. Annotated Code of Maryland, Education Article §4-122.1, Education of Child in Informal Kinship Care Relationship
6. Annotated Code of Maryland, Education Article §4-205, Powers and Duties of County Superintendent
7. Annotated Code of Maryland, Education Article §7-101, Admission of Students; Location; Kindergarten Programs

Similar Policies Adopted by Other Local School Systems
1. Montgomery County Board of Education, Policy JED, Residency, Tuition, and Enrollment
2. Prince George’s County Board of Education, Policy 5118, Nonresident Students

Draft of Proposed Policy
Attached.
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
STUDENTS: Enrollment and Attendance

Residents and Nonresidents

I. POLICY STATEMENT

A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) IS COMMITTED TO AN EFFICIENT, EFFECTIVE, AND CONSISTENT ENROLLMENT PROCESS FOR ALL ELIGIBLE SCHOOL-AGED CHILDREN.

B. ALL QUALIFIED SCHOOL-AGED CHILDREN, WHO HAVE AN ESTABLISHED BONA FIDE DOMICILE IN BALTIMORE COUNTY ARE TO BE ADMITTED FREE OF CHARGE TO BALTIMORE COUNTY PUBLIC SCHOOLS.

C. THE BOARD UNDERSTANDS THAT THERE ARE CIRCUMSTANCES THAT EXIST WHERE STUDENTS WHO ARE NOT DOMICILED IN BALTIMORE COUNTY WANT OR NEED TO ATTEND SCHOOLS IN BALTIMORE COUNTY; THEREFORE ISSUES OF RESIDENCY AND THE PROCESS FOR ASSESSING AND PAYING TUITION MUST BE CLEARLY ARTICULATED. A NONRESIDENT SCHOOL-AGED CHILD MAY NOT BE ENROLLED IN ANY BALTIMORE COUNTY PUBLIC SCHOOL WITHOUT THE AUTHORIZATION FROM THE SUPERINTENDENT OR HIS/HER DESIGNEE.

[1. Resident Student

In accordance with §7-101 of the Education Article of the Annotated Code of Maryland ANNOTATED CODE OF MARYLAND, any child who is domiciled with the child’s parent(s)/guardian(s) in Baltimore County shall attend his or her assigned school (See Policy 5140.) The burden of establishing or providing proof of the child’s domicile with his or her parent(s) guardian(s) is the responsibility of the child, parent(s), and/or guardian(s).
2. Nonresident Student

A nonresident student is a child who is domiciled with his or her parent(s)/guardian(s) outside of Baltimore County. A nonresident student shall not be enrolled in any Baltimore County Public School without written authority from the Superintendent and/or the pupil personnel worker.

In accordance with Section 7-101(b)(2) of the Education Article, the Superintendent may allow a child to attend Baltimore County Public Schools even if the child is not domiciled in Baltimore County with the child’s parent(s)/guardian(s) and in compliance with Superintendent’s Rule 5150.

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO ESTABLISH PROCEDURES FOR VERIFYING BONA FIDE DOMICILE FOR ENROLLMENT PURPOSES AND ASSESSING TUITION UNDER CERTAIN CIRCUMSTANCES.

Legal References:  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4–109, ESTABLISHMENT OF PUBLIC SCHOOLS  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4–121, SCHOOLS NEAR BOUNDARY OF TWO COUNTIES  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4–122, FUNDING FOR EDUCATION OF CHILDREN IN OUT-OF-COUNTY LIVING ARRANGEMENTS  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-122.1, EDUCATION OF CHILD IN INFORMAL KINSHIP CARE RELATIONSHIP  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-205, POWERS AND DUTIES OF COUNTY SUPERINTENDENT  
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-101, ADMISSION OF STUDENTS; LOCATION; KINDERGARTEN PROGRAMS
[§7-101 of the Education Article of the Annotated Code of Maryland
§4-121 of the Education Article of the Annotated Code of Maryland
§4-122 of the Education Article of the Annotated Code of Maryland

*** “Child” refers to an individual not currently enrolled in Baltimore County Public Schools.

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

RELATED POLICIES: BOARD OF EDUCATION POLICY 3610, TUITION FEES
BOARD OF EDUCATION POLICY 5100, COMPULSORY ATTENDANCE
BOARD OF EDUCATION POLICY 5110, ADMISSION
BOARD OF EDUCATION POLICY 5140, SCHOOL ATTENDANCE AREAS
BOARD OF EDUCATION POLICY 6400, MAGNET SCHOOLS AND PROGRAMS

Policy Board of Education of Baltimore County
Adopted: 05/28/70
Revised: 03/13/80
Revised: 06/19/80
Revised: 02/26/87
Revised: 10/12/93
Revised: 03/24/98
Revised: 05/02/00
REVISED: ____________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO POLICY 5330 – SOCIAL EVENTS

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Roger Plunkett, Assistant Superintendent, Curriculum and Instruction
Kathleen McMahon, Executive Director, Special Programs

RECOMMENDATION

That the Board of Education approves the proposed revisions to Board Policy 5330, Social Events. This is the third reading.

*****

Attachment I – Policy Analysis
Attachment II – Policy 5330
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 5330
SOCIAL EVENTS

Statement of Issues or Questions Addressed
Board of Education Policy 5330 has not been reviewed since 1985. At its June 13, 2011, meeting, the Policy Review Committee asked that staff further revise the policy to include requirements for insurance, contracts, leases, and safety. The policy has been revised as requested by the Committee and includes a policy statement that requires guidelines be developed to ensure: (1) administrator approval of social events; (2) that all contracts and leases are approved in accordance with established policies and procedures, to include adequate insurance coverage; (3) safety by providing chaperones or security personnel. The policy was further edited to 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 3125, School Activity Funds
2. Board of Education Policy 3150, Board Insurance
3. Board of Education Policy 3160, School-Sponsored Activities
4. Board of Education Policy 3215, Contracts
5. Board of Education Policy 5500, Conduct
6. Board of Education Policy 5530, Student Use and Possession of Tobacco
7. Board of Education Policy 5540, Alcoholic Beverages and Drugs
8. Board of Education Policy 5550, Disruptive Behavior

Legal Requirements
1. None

Similar Policies Adopted by Other Local School Systems
1. Carroll County Board of Education, Policy JFBA, Off Campus School-Sponsored Activities
2. Harford County Board of Education, Policy 06-0011-000, School Sponsored Dances

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered by staff.

Timeline
First Reading – October 25, 2011
Public Comment – November 8, 2011
Third reading/vote – December 6, 2011
STUDENTS: Activities

Social Events

I. POLICY STATEMENT

A. BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) BELIEVES THAT STUDENT SOCIAL EVENTS SHOULD BE PLANNED FOR THE ENJOYMENT OF THE STUDENTS IN A SAFE ATMOSPHERE. THE BOARD BELIEVES THAT GUIDELINES MUST BE ESTABLISHED TO ENSURE THE SAFETY OF STUDENTS AT THESE EVENTS. THE GUIDELINES SHOULD INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING ELEMENTS:

1. ADVANCE APPROVAL BY THE SCHOOL PRINCIPAL;
2. REVIEW AND APPROVAL OF ALL CONTRACTS AND LEASES IN ACCORDANCE WITH BOARD POLICIES, SUPERINTENDENT’S RULES, AND OPERATING PROCEDURES. ALL CONTRACTS AND LEASES WILL BE REVIEWED TO ENSURE THAT APPROPRIATE INSURANCE COVERAGE IS INCLUDED TO PROTECT THE INTERESTS OF THE SCHOOL SYSTEM;
3. PROVISIONS ENSURING THAT EACH EVENT IS CHAPERONED AND THAT SECURITY PERSONNEL IS PRESENT AS NECESSARY.

[A number of school goals are supported by well-conceived and well-managed social events. Parents expect their children to learn to feel at ease in appropriate social situations. Consequently, parties, dances, receptions, and comparable social events have an important place in a well-rounded school program.]

II. IMPLEMENTATION

A. THE SUPERINTENDENT IS DIRECTED TO DEVELOP PROCEDURES AND GUIDELINES FOR ALL SCHOOL-SPONSORED SOCIAL EVENTS.
POLICY 5330

RELATED POLICIES: BOARD OF EDUCATION POLICY 3125, SCHOOL ACTIVITY FUNDS
BOARD OF EDUCATION POLICY 3150, BOARD INSURANCE
BOARD OF EDUCATION POLICY 3160, SCHOOL-SPONSORED ACTIVITIES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICY 5500, CONDUCT
BOARD OF EDUCATION POLICY 5530, STUDENT USE AND POSSESSION OF TOBACCO
BOARD OF EDUCATION POLICY 5540, ALCOHOLIC BEVERAGES AND DRUGS
BOARD OF EDUCATION POLICY 5550, DISRUPTIVE BEHAVIOR

Policy
Adopted: 11/21/68
Revised: 05/23/85
REVISED: _________

Board of Education of Baltimore County
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGE TO BOARD OF EDUCATION POLICY 8315 – PARTICIPATION BY THE PUBLIC

ORIGINATOR: Margaret-Ann Howie, Esquire, General Counsel

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

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8315 – Participation by the Public. This is the third reading.

*****

Attachment I – Policy Analysis
Attachment II – Policy 8315
POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 8315
MEETINGS: PARTICIPATION BY THE PUBLIC

Statement of Issues or Questions Addressed
Board of Education Policy 8315 provides for public comment at Board meetings by members of the public, as well as the Board’s stakeholder groups. Policy 8315 has been revised, at the request of the Board, to permit public comment at all of the Board’s regularly scheduled meetings.

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
None

Legal Requirements
None

Similar Policies Adopted by Other Local School Systems
1. Anne Arundel County Board of Education, Policy BCB, Public Participation at Board Meetings
2. Howard County Board of Education, Policy 2040, Public Participation in Meetings of the Board

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
Make no changes to the policy.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011
INTERNAL BOARD POLICIES: Operations

Meetings: Participation by the Public

I. POLICY STATEMENT

Citizens of the county have the EXPRESS [expressed] right and are encouraged to attend all public meetings of the Board of Education of Baltimore County (Board) and to observe the deliberation of its members.

II. PUBLIC COMMENT

A. A PERIOD OF PUBLIC PARTICIPATION SHALL BE SET ASIDE DURING REGULAR BOARD MEETINGS AT A TIME TO BE DETERMINED BY THE BOARD.

B. Any citizen who wishes to address the Board at one of its [business] meetings must complete the requisite sign-in form prior to the opening of each meeting, and provide the agenda item or educational topic he/she wishes to discuss.

III. STAKEHOLDER GROUPS

It is the practice of the Board to provide an opportunity for stakeholder groups to report the results of their meetings and group activities at each of its REGULAR BOARD [business] meetings. For the purpose of this policy, stakeholder groups are identified as those existing as of the 2008-2009 school year.

Policy Board of Education of Baltimore County
Adopted: 04/13/72
Revised: 02/20/07
Revised: 10/07/08
REVISED: _______
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8360 – APPLICABILITY AND DEFINITIONS

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8360. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8360
POLICY ANALYSIS FOR
REVISIONS TO THE BOARD OF EDUCATION’S ETHICS CODE POLICIES
POLICY 8360, APPLICABILITY AND DEFINITIONS
POLICY 8361, STATEMENT OF PURPOSE AND POLICY
POLICY 8362, GIFTS
POLICY 8363, CONFLICT OF INTEREST – PROHIBITED CONDUCT
POLICY 8364, FINANCIAL DISCLOSURE STATEMENTS
POLICY 8365, LOBBYING
POLICY 8366, ETHICS REVIEW PANEL

Statement of Issues or Questions Addressed
In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System
Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies
These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.
Legal Requirements
1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations

Similar Policies Adopted by Other Local School Systems
1. CALVERT COUNTY BOARD OF EDUCATION
   Policy Number 1740, Ethics
   Policy Number 1740.1, Definitions
   Policy Number 1740.2, Ethics Panel
   Policy Number 1740.3, Conflict of Interest and Outside Employment
   Policy Number 1740.4, Gifts
   Policy Number 1740.5, Lobbying Disclosure
   http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp

2. CARROLL COUNTY BOARD OF EDUCATION
   Policy Number BC, Ethics
   http://www.boarddocs.com/mabe/ccps/Board.nsf/Public

3. FREDERICK COUNTY BOARD OF EDUCATION
   Policy Number 109, Ethics
   Policy Number 109.1, Definitions
   Policy Number 109.3, Prohibited Conduct and Interest
   Policy Number 109.4, Financial Disclosure
   Policy Number 109.5, Lobbying Disclosure
   http://fcps.schoolwires.com/152910821132356427/site/default.asp

4. HOWARD COUNTY BOARD OF EDUCATION
   Policy Number 2070, Ethics
   http://www.hcpss.org/board/policies/

5. MONTGOMERY COUNTY BOARD OF EDUCATION
   Policy Number BBB, Ethics
   http://www.mcps.k12.md.us/departments/policy/

6. PRINCE GEORGE’S COUNTY BOARD OF EDUCATION
   Board Policy 0107, Ethics
   Board Policy 0107.1, Ethics - Definitions
   Board Policy 0108, Ethics Panel
   Board Policy 0109, Conflict of Interest
   Board Policy 0111, Board Financial Disclosure
   Board Policy 0112, Lobbying Disclosure
   http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx
7. Washington County Board of Education
   Policy Number BBF-E, Code of Ethics for School Board Members
   Policy BDF-E, Ethics Advisory Panel
   http://www.boarddocs.com/mabe/wcps/Board.ns

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

APPLICABILITY AND Definitions

I. APPLICABILITY


B. THE ETHICS CODE CONSISTS OF BOARD POLICY 8360; BOARD POLICY 8361, STATEMENT OF PURPOSE AND POLICY; BOARD POLICY 8362, GIFTS; BOARD POLICY 8363, CONFLICT OF INTEREST – PROHIBITED CONDUCT; BOARD POLICY 8364, FINANCIAL DISCLOSURE STATEMENTS; BOARD POLICY 8365, LOBBYING; AND BOARD POLICY 8366, ETHICS REVIEW PANEL.

C. THE DEFINITIONS CONTAINED IN THIS POLICY APPLY TO THE ENTIRE ETHICS CODE.

II. DEFINITIONS

The following terms used within the Ethics Code are defined as follows:

A. [(A)] Board of Education – means the [local] Board of Education of Baltimore County.

B. [(B)] Business entity - means any individual or organization, regardless of form, including but not limited to a corporation, general or limited partnership, LIMITED LIABILITY COMPANY OR PARTNERSHIP, sole proprietorship (including a private consultant operation), joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not operated for profit.

1. “BUSINESS ENTITY” DOES NOT INCLUDE A GOVERNMENTAL ENTITY.

C. [(C)] Compensation - means any money or thing of value, regardless of form, received or to be received by any individual covered by this title from an employer for service rendered.
1. FOR PURPOSES OF BOARD POLICY 8365, LOBBYING, if lobbying is only a portion of a person’s employment, “compensation” means a prorated amount based on the time devoted to LOBBYING COMPARED TO THE TIME DEVOTED TO other employment duties. [For reporting purposes, a prorated amount shall be labeled as such.]

D. [(D)] *Doing business with* – means”
   1. Having or negotiating a contract that involves the commitment (either in a single or combination of transactions) of school system funds; [or]
   2. Being subject to the authority of the school system;
   3. Being registered as a lobbyist with the Board [of Education of Baltimore County]; or
   3. Pursuing commercial financial transactions with the school system.

E. [(E)] *Economic value* - means [when] a good THAT is useful and its worth can be measured in financial terms.

F. [(F)] *Employee* - means an individual whose compensation is paid in whole or part by the Board and/or is a student teacher for the school system.

G. [(G)] *Ethics Review Panel* - means the advisory board designated to serve the Board [of Education of Baltimore County] with the responsibility for interpreting the Ethics Code. *(SEE, BOARD POLICY 8366, ETHICS REVIEW PANEL).*

H. **FINANCIAL INTEREST** – MEANS:
   1. OWNERSHIP OF ANY INTEREST AS THE RESULT OF WHICH THE OWNER HAS RECEIVED WITHIN THE PAST 3 YEARS OR IS PRESENTLY RECEIVING, OR IN THE FUTURE IS ENTITLED TO RECEIVE, MORE THAN $1,000 PER YEAR; OR
   2. OWNERSHIP, OR THE OWNERSHIP OF SECURITIES OF ANY KIND REPRESENTING OR CONVERTIBLE INTO OWNERSHIP, OF MORE THAN 3 PERCENT OF A BUSINESS ENTITY BY A SCHOOL SYSTEM OFFICIAL OR THE SPOUSE OF A SCHOOL SYSTEM OFFICIAL.
I. [(H)] **Gift** - means the transfer of ANY SERVICE OR THING [anything] of economic value, regardless of the form, without adequate and lawful consideration.
   1. “Gift” does not include [the] POLITICAL CAMPAIGN CONTRIBUTIONS REGULATED UNDER THE ELECTIONS LAW ARTICLE, *ANNOTATED CODE OF MARYLAND*, OR ANY OTHER PROVISION OF STATE OR LOCAL LAW REGULATING THE CONDUCT OF ELECTIONS OR THE RECEIPT OF POLITICAL CAMPAIGN CONTRIBUTIONS. [solicitation, acceptance, receipt, or regulation of political campaign contributions regulated in accordance with the provisions of the *Annotated Code of Maryland*, Election Law Article, Title 13 Subtitle 2 or any other provision of state or local law regulating the conduct of elections or the receipt of political campaign contributions. As used in this Code, gift excludes non-cash recognition for professional, educational, athletic or scholastic achievements and/or scholarships.]

J. [(I)] **Immediate family** - means SPOUSE AND DEPENDENT CHILDREN. [father, mother, brother, sister, husband, wife, son, daughter, grandmother, and grandfather by blood (not marriage), grandson, granddaughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, equivalent stepfamily members, legal dependent of the employee, or a person residing as a member of the household where the employee is making his or her home.]

K. **INTEREST** - MEANS A LEGAL OR EQUITABLE ECONOMIC INTEREST, WHETHER OR NOT SUBJECT TO AN ENCUMBRANCE OR A CONDITION, THAT IS OWNED OR HELD, IN WHOLE OR IN PART, JOINTLY OR SEVERALLY, DIRECTLY OR INDIRECTLY.
   1. FOR PURPOSES OF BOARD POLICY 8364, *FINANCIAL DISCLOSURE STATEMENTS*, “INTEREST” INCLUDES ANY INTEREST HELD AT ANY TIME DURING THE REPORTING PERIOD.
   2. “INTEREST” DOES NOT INCLUDE:
      a. AN INTEREST HELD IN THE CAPACITY OF A PERSONAL AGENT, CUSTODIAN, FIDUCIARY, PERSONAL REPRESENTATIVE, OR TRUSTEE, UNLESS THE HOLDER HAS AN EQUITABLE INTEREST IN THE SUBJECT MATTER;
b. AN INTEREST IN A TIME OR DEMAND DEPOSIT IN A FINANCIAL INSTITUTION;
c. AN INTEREST IN AN INSURANCE POLICY, ENDOWMENT POLICY, OR ANNUITY CONTRACT UNDER WHICH AN INSURER PROMISES TO PAY A FIXED AMOUNT OF MONEY EITHER IN A LUMP SUM OR PERIODICALLY FOR LIFE OR A SPECIFIED PERIOD;
d. A COMMON TRUST FUND OR A TRUST WHICH FORMS PART OF A PENSION OR PROFIT SHARING PLAN WHICH HAS MORE THAN 25 PARTICIPANTS AND WHICH HAS BEEN DETERMINED BY THE INTERNAL REVENUE SERVICE TO BE A QUALIFIED TRUST UNDER THE INTERNAL REVENUE CODE; OR
e. A COLLEGE SAVINGS PLAN UNDER THE INTERNAL REVENUE CODE.

L. [(J)] Lobbying - means
1. Communicating in the presence of A SCHOOL SYSTEM OFFICIAL [a Board member or employee] with the intent to influence any official action of that OFFICIAL [Board member or employee]; AND SPENDING OVER $25.00 [ where money is spent] for food, entertainment, or other gifts during the calendar year IN CONNECTION WITH THE COMMUNICATION OR INTENT TO INFLUENCE [in furtherance of this activity]; or
2. Engaging in activities having the express purpose of soliciting others to communicate with A SCHOOL SYSTEM OFFICIAL [a Board member or employee] with the intent to influence that OFFICIAL [Board member or employee, where money is expended in furtherance of this activity]; AND SPENDING OVER $25.00 IN CONNECTION WITH THE ACTIVITIES OR INTENT TO INFLUENCE.

M. LOBBYIST – MEANS A PERSON REQUIRED TO REGISTER AND REPORT EXPENSES RELATED TO LOBBYING UNDER BOARD POLICY 8365, LOBBYING.

N. MEMBER OF THE BOARD – MEANS A MEMBER OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY.
O. **PANEL** - MEANS THE BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM ETHICS REVIEW PANEL ESTABLISHED UNDER BOARD POLICY 8366, *ETHICS REVIEW PANEL*.

[(K) *Outside employment* - means any supplementary employment, including teaching and secondary employment within State service; and excluding service in the military reserves or National Guard, for which the employee receives remuneration or other economic gain.]

P. [(L)] **Person** - means an individual or business entity.

Q. [(M)] **Personal benefit** - means anything that promotes or enhances the well being of the individual, or his/her immediate family, or accrues to the personal advantage of that individual, or his/her immediate family.

R. **QUALIFIED RELATIVE** – MEANS A SPOUSE, PARENT, CHILD, OR SIBLING.

S. [(N)] **School system** - means the educational system under the authority of THE [any] Board [of Education].

T. **SCHOOL SYSTEM OFFICIAL** – MEANS A MEMBER OF THE BOARD, THE SUPERINTENDENT, EMPLOYEES, CONSULTANTS, AND VOLUNTEERS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS.

U. [(O)] **Superintendent** - means any person defined as such within the meaning of the *ANNOTATED CODE OF MARYLAND*, Education Article [.,] §4-102 [. *Annotated Code of Maryland*].

V. [(P)] **Tutoring** - means any private additional, special or remedial instruction performed for compensation.

W. [(Q)] **Volunteer** - means any person APPOINTED BY THE BOARD TO SERVE ON ITS PANELS OR COMMISSIONS who provides a service or performs SUCH [a] duty or responsibility for the school system without compensation.
POLICY 8360

Legal References: Annotated Code of Maryland, State Government Article [, §] §15-101, LEGISLATIVE FINDINGS; POLICY; LIBERAL CONSTRUCTION
ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF EDUCATION
COMAR 19A.05, BOARD OF EDUCATION REGULATIONS

Policy Board of Education of Baltimore County
Adopted: 10/08/96
Revised: 08/12/97
Revised: 09/23/98
Revised: 01/13/09
Approved by SEC: 04/22/09
REVISED: ________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8361 – STATEMENT OF PURPOSE AND POLICY

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8361. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8361
**Policy Analysis for Revisions to the Board of Education’s Ethics Code Policies**

**Policy 8360, Applicability and Definitions**

**Policy 8361, Statement of Purpose and Policy**

**Policy 8362, Gifts**

**Policy 8363, Conflict of Interest – Prohibited Conduct**

**Policy 8364, Financial Disclosure Statements**

**Policy 8365, Lobbying**

**Policy 8366, Ethics Review Panel**

**Statement of Issues or Questions Addressed**

In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

**Cost Analysis and Fiscal Impact on School System**

Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

**Relationship to Other Board of Education Policies**

These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

**Legal Requirements**

1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems

1. **Calvert County Board of Education**
   Policy Number 1740, *Ethics*
   Policy Number 1740.1, *Definitions*
   Policy Number 1740.2, *Ethics Panel*
   Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   Policy Number 1740.4, *Gifts*
   Policy Number 1740.5, *Lobbying Disclosure*
   [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **Carroll County Board of Education**
   Policy Number BC, *Ethics*
   [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **Frederick County Board of Education**
   Policy Number 109, *Ethics*
   Policy Number 109.1, *Definitions*
   Policy Number 109.3, *Prohibited Conduct and Interest*
   Policy Number 109.4, *Financial Disclosure*
   Policy Number 109.5, *Lobbying Disclosure*

4. **Howard County Board of Education**
   Policy Number 2070, *Ethics*
   [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **Montgomery County Board of Education**
   Policy Number BBB, *Ethics*

6. **Prince George’s County Board of Education**
   Board Policy 0107, *Ethics*
   Board Policy 0107.1, *Ethics - Definitions*
   Board Policy 0108, *Ethics Panel*
   Board Policy 0109, *Conflict of Interest*
   Board Policy 0111, *Board Financial Disclosure*
   Board Policy 0112, *Lobbying Disclosure*
   [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **Washington County Board of Education**
   Policy Number BBF-E, *Code of Ethics for School Board Members*
   Policy BDF-E, *Ethics Advisory Panel*
   [http://www.boarddocs.com/mabe/wcps/Board.nsf](http://www.boarddocs.com/mabe/wcps/Board.nsf)

**Draft of Proposed Policy**
Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: Ethics Code

STATEMENT OF PURPOSE AND POLICY [General]

I. POLICY STATEMENT

A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) AND the Baltimore County Public Schools (BCPS) are committed to promoting and practicing moral principles and values in both the delivery of instruction and the delivery of support services. Consistent with this conviction, the school system’s “Precepts, Beliefs, and Values” and local public ethics laws in accordance with the State Ethics Commission, the Ethics Code establishes guidelines of ethical and professional conduct. This ETHICS Code (HEREINAFTER, “CODE”) formally acknowledges the school system’s commitment to its institutional responsibility to the students, parents, and the community. It advocates positive behavior and the avoidance of impropriety or the appearance of impropriety.

B. THE BOARD, RECOGNIZING THAT OUR SYSTEM OF REPRESENTATIVE GOVERNMENT IS DEPENDENT IN PART UPON THE PEOPLE MAINTAINING THE HIGHEST TRUST IN THEIR PUBLIC OFFICIALS AND EMPLOYEES, FINDS AND DECLARES THAT THE PEOPLE HAVE A RIGHT TO BE ASSURED THAT THE IMPARTIALITY AND INDEPENDENT JUDGMENT OF PUBLIC OFFICIALS AND EMPLOYEES WILL BE MAINTAINED.

C. IT IS EVIDENT THAT THIS CONFIDENCE AND TRUST IS ERODED WHEN THE CONDUCT OF PUBLIC BUSINESS IS SUBJECT TO IMPROPER INFLUENCE AND EVEN THE APPEARANCE OF IMPROPER INFLUENCE.

D. FOR THE PURPOSE OF GUARDING AGAINST IMPROPER INFLUENCE, THE BOARD ADOPTS THIS CODE TO REQUIRE SCHOOL SYSTEM OFFICIALS TO DISCLOSE THEIR FINANCIAL AFFAIIRS AND TO SET MINIMUM STANDARDS FOR THEIR CONDUCT OF SCHOOL SYSTEM BUSINESS.

E. IT IS THE INTENTION OF THE BOARD THAT THIS POLICY BE LIBERALLY CONSTRUED TO ACCOMPLISH THIS PURPOSE.
II. STANDARDS

A. This Code establishes recommended behavior for MEMBERS OF THE BOARD, THE SUPERINTENDENT, EMPLOYEES, CONSULTANTS, AND VOLUNTEERS (HEREINAFTER, “SCHOOL SYSTEM OFFICIAL”) [all instructional and non-instructional personnel, administrative and supervisory personnel, Board of Education members, consultants, and volunteers (from this point forward referred to as Board members, employees and/or volunteers)]. EACH [All] of these individuals shall be subject to this Code, which addresses the school system’s commitment that all lead and teach by example and serve as role models for students.

B. No Code can delineate the appropriate ethical behavior for every situation with which the school system’s personnel will be confronted. It is important, therefore, that whenever a difficult situation arises which is not directly addressed by this Code, the individual seek counsel from colleagues, administrators, and the Ethics Review Panel as established by the Code. However, many individuals will be called upon to make decisions in which time precludes consultations. In such cases, the individual must rely on his or her good judgment, recalling that the school system’s ethical commitment is rooted in fairness, equity, and integrity.

C. One of the most important elements of this Code is promoting the worth and dignity of all individuals in compliance with the Board’S [of Education’s] non-discrimination policy. A second key element of this Code is open communication. Business-related transactions in which individuals engage must be correctly documented and reported. Every individual covered by this Code must behave as if public scrutiny of his or her actions would be welcome.

[The Code provides specific direction in the following areas: Gifts; Conflicts of Interest; Financial Disclosure; Lobbying Disclosure; Creation of an Ethics Review Panel.]
III. SANCTIONS

A. A SCHOOL SYSTEM OFFICIAL WHO VIOLATES THE ETHICS CODE IS SUBJECT TO DISCIPLINE, PERSONNEL ACTION, OR REMOVAL FROM OFFICE, AS PROVIDED BY LAW AND CONSISTENT WITH BOARD POLICIES AND SUPERINTENDENT’S RULES.

B. Persons or organizations found in violation of the lobbying provisions of the Ethics Code shall be publicly identified and subject to other penalties as provided by law.

Legal References: Annotated Code of Maryland, State Government Article [, §] §15-101, LEGISLATIVE FINDINGS; POLICY; LIBERAL CONSTRUCTION
ANOTATED CODE OF MARYLAND, STATE GOVERNMENT ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF EDUCATION
COMAR 19A.05, BOARD OF EDUCATION REGULATIONS

Related Policies: Board of Education Policy 3127, Travel
Board of Education Policy 3209, Purchasing Principles
Board of Education Policy 4000, Precepts, Beliefs, and Values of the Baltimore County Public Schools
BOARD OF EDUCATION POLICY 4002, OBLIGATIONS OF EMPLOYEES OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY
BOARD OF EDUCATION POLICY 4100, EMPLOYEE CONDUCT AND RESPONSIBILITIES
BOARD OF EDUCATION POLICY 8410, FRAUD REPORTING

Policy
Adopted: 10/08/96
Revised: 08/12/97
Revised: 03/11/08
Approved by SEC: 04/22/09
Edited: 07/01/11
REVISED:_________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8362 - GIFTS

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8362. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8362
Statement of Issues or Questions Addressed
In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System
Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies
These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

Legal Requirements
1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems
1. **Calvert County Board of Education**
   Policy Number 1740, *Ethics*
   Policy Number 1740.1, *Definitions*
   Policy Number 1740.2, *Ethics Panel*
   Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   Policy Number 1740.4, *Gifts*
   Policy Number 1740.5, *Lobbying Disclosure*
   [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **Carroll County Board of Education**
   Policy Number BC, *Ethics*
   [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **Frederick County Board of Education**
   Policy Number 109, *Ethics*
   Policy Number 109.1, *Definitions*
   Policy Number 109.3, *Prohibited Conduct and Interest*
   Policy Number 109.4, *Financial Disclosure*
   Policy Number 109.5, *Lobbying Disclosure*

4. **Howard County Board of Education**
   Policy Number 2070, *Ethics*
   [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **Montgomery County Board of Education**
   Policy Number BBB, *Ethics*

6. **Prince George’s County Board of Education**
   Board Policy 0107, *Ethics*
   Board Policy 0107.1, *Ethics - Definitions*
   Board Policy 0108, *Ethics Panel*
   Board Policy 0109, *Conflict of Interest*
   Board Policy 0111, *Board Financial Disclosure*
   Board Policy 0112, *Lobbying Disclosure*
   [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **Washington County Board of Education**
   Policy Number BBF-E, *Code of Ethics for School Board Members*
   Policy BDF-E, *Ethics Advisory Panel*
   [http://www.boarddocs.com/mabe/wcps/Board.ns](http://www.boarddocs.com/mabe/wcps/Board.ns)

**Draft of Proposed Policy**
Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

Gifts

I. PURPOSE

[A. As the Baltimore County Public Schools (BCPS) continue the practice of school-based management, it becomes increasingly important] To establish firm guidelines FOR [on] the acceptance OR SOLICITATION of gifts by schools and offices on behalf of the Board of Education OF BALTIMORE COUNTY (BOARD).

II. Gifts to the Board [of Education], Schools, and Offices [within the School System]

A. The Board [of Education of Baltimore County (Board)] encourages the formation of partnerships between schools and businesses and recognizes that these relationships frequently include gifts to schools and offices to enhance the educational programs of students.

B. The Board, schools, and offices may accept any bequest or gift of money or property for a purpose deemed suitable. All gifts shall be accepted in the name of the Board. All gifts will become the property of the Board and may be designated by the Board for use in a particular school or office.

C. Any gifts presented to the Board, schools, and offices must be accompanied by a document of intent from the donor for official action and recognition.

II. CRITERIA

A. [B.] To be acceptable, a gift must meet the following criteria:

1. [(i)] Have a purpose consistent with those of the Board [of Education] OR THE SCHOOL SYSTEM [schools, or offices];
2. [(ii)] Be offered by a donor acceptable to the Board [of Education] OR THE SCHOOL SYSTEM [, schools, or offices];
3. [(iii)] Be manageable by existing staff;
4. [(iv)] Not begin a program with the assumption that the Board [of Education] will take over if the funds are exhausted;
5. [(v)] Place no restrictions on the school program;
6. [(vi)] Be appropriate to the best education of students;
7. [(vii)] Not imply endorsement of any business or product;
8. [(viii)] Not carry an excessive cost of maintenance or installation;
9. [(ix)] Be consistent with the provisions of BOARD POLICIES, SUPERINTENDENT’S RULES, SCHOOL SYSTEM PROCEDURES, AND APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS [the school code or public law].

B. [C.] When installation is required, the gift will be installed under the supervision of personnel of the Board. The Board is under no obligation to replace the gift if it is destroyed or becomes worn out.

C. A letter of appreciation will be sent to the donor.

III. GIFTS TO A SCHOOL SYSTEM OFFICIAL

A. A SCHOOL SYSTEM OFFICIAL MAY NOT SOLICIT ANY GIFT.

B. A SCHOOL SYSTEM OFFICIAL MAY NOT DIRECTLY SOLICIT OR FACILITATE THE SOLICITATION OF A GIFT, ON BEHALF OF ANOTHER PERSON, FROM AN INDIVIDUAL LOBBYIST.

C. A SCHOOL SYSTEM OFFICIAL MAY NOT KNOWINGLY ACCEPT A GIFT, DIRECTLY OR INDIRECTLY, FROM A PERSON THAT THE OFFICIAL KNOWS OR HAS REASON TO KNOW:
   1. IS DOING BUSINESS WITH OR SEEKING TO DO BUSINESS WITH THE BOARD OR SCHOOL SYSTEM;
   2. IS SUBJECT TO THE AUTHORITY OF THE SCHOOL SYSTEM;
   3. IS A LOBBYIST WITH RESPECT TO MATTERS WITHIN THE JURISDICTION OF THE SCHOOL SYSTEM OFFICIAL; OR
   4. HAS FINANCIAL INTERESTS THAT MAY BE SUBSTANTIALLY AND MATERIALLY AFFECTED, IN A MANNER DISTINGUISHABLE FROM THE PUBLIC GENERALLY, BY THE PERFORMANCE OR NONPERFORMANCE OF THE SCHOOL SYSTEM DUTIES OF THE SCHOOL SYSTEM OFFICIAL.

D. A BOARD MEMBER MAY NOT ACCEPT COMPLIMENTARY TICKETS TO ATTEND EVENTS THAT THE BOARD MEMBER MAY KNOW OR HAVE REASON TO KNOW ARE FROM OR ON BEHALF OF POLITICAL CANDIDATES OR ELECTED OFFICIALS.
E. NOTWITHSTANDING THE RESTRICTIONS SET FORTH IN THIS SECTION, A SCHOOL SYSTEM OFFICIAL MAY ACCEPT:

1. MEALS AND BEVERAGES CONSUMED IN THE PRESENCE OF THE DONOR OR SPONSORING ENTITY;
2. CEREMONIAL GIFTS OR AWARDS THAT HAVE INSIGNIFICANT MONETARY VALUE;
3. UNSOLICITED GIFTS OF NOMINAL VALUE THAT DO NOT EXCEED $20.00 IN COST OR TRIVIAL ITEMS OF INFORMATIONAL VALUE;
4. REASONABLE EXPENSES FOR FOOD, TRAVEL, LODGING, AND SCHEDULED ENTERTAINMENT OF THE SCHOOL SYSTEM OFFICIAL AT A MEETING WHICH IS GIVEN IN RETURN FOR THE PARTICIPATION OF THE OFFICIAL IN A PANEL OR A SPEAKING ENGAGEMENT AT THE MEETING;
5. GIFTS OF TICKETS OR FREE ADMISSION EXTENDED TO MEMBERS OF THE BOARD TO ATTEND A CHARITABLE, CULTURAL, OR POLITICAL EVENT, IF THE PURPOSE OF THE GIFT OR ADMISSION IS A COURTESY OR CEREMONY EXTENDED TO THE BOARD;
6. A SPECIFIC GIFT OR CLASS OF GIFTS WHICH THE PANEL EXEMPTS FROM THE OPERATION OF THIS SUBSECTION UPON A FINDING, IN WRITING, THAT ACCEPTANCE OF THE GIFT OR CLASS OF GIFTS WOULD NOT BE DETRIMENTAL TO THE IMPARTIAL CONDUCT OF THE BUSINESS OF THE BOARD OR SCHOOL SYSTEM AND THAT THE GIFT IS PURELY PERSONAL AND PRIVATE IN NATURE;
7. GIFTS FROM A PERSON RELATED BY BLOOD OR MARRIAGE, OR ANY OTHER INDIVIDUAL WHO IS A MEMBER OF THE HOUSEHOLD OF THE SCHOOL SYSTEM OFFICIAL; OR
8. AN HONORARIUM FOR SPEAKING TO OR PARTICIPATING IN A MEETING, PROVIDED THAT THE OFFERING OF THE HONORARIUM IS IN NO WAY RELATED TO THE BOARD OR SCHOOL SYSTEM POSITION OF THE SCHOOL SYSTEM OFFICIAL.

F. SECTION E ABOVE DOES NOT APPLY TO ANY GIFT, REGARDLESS OF THE AMOUNTS SET FORTH IN SECTION E, ABOVE:
1. THAT WOULD TEND TO IMPAIR THE IMPARTIALITY AND INDEPENDENCE OF JUDGMENT OF THE SCHOOL SYSTEM OFFICIAL RECEIVING THE GIFT;
2. OF SIGNIFICANT VALUE THAT WOULD GIVE THE APPEARANCE OF IMPAIRING THE IMPARTIALITY AND INDEPENDENT JUDGMENT OF THE SCHOOL SYSTEM OFFICIAL; OR
3. OF SIGNIFICANT VALUE THAT THE RECIPIENT SCHOOL SYSTEM OFFICIAL BELIEVES OR HAS REASON TO BELIEVE IS DESIGNED TO IMPAIR THE IMPARTIALITY AND INDEPENDENT JUDGMENT OF THE OFFICIAL.

[II. Gifts to Individuals]

A. Subject to the exclusions enumerated in this section, a gift may be accepted unless a gift would tend to impair the impartiality and independence of judgment of the Board member, employee, or volunteer receiving it or, if of significant value, the recipient knows, or has reason to know, that it was designed to do so.

B. A Board member, employee, or volunteer may not solicit gifts, gratuities, or discounts for personal use or gain.

C. No Board member, employee, or volunteer may knowingly accept gifts, gratuities, or discounts for personal use or gain, directly or indirectly, from any person or business entity that he or she knows or has reason to know:

(i) is doing business or attempting to do business with the BCPS

(ii) is subject to the authority of the school system

(iii) has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or non-performance of his or her official duty

(iv) is involved in lobbying.

(v) is from a political organization or candidate.
D. A Board member or employee may accept the following, unless exceeding a $50 market value:

(i) meals and beverages consumed in the presence of the donor

(ii) ceremonial gifts or awards

(iii) unsolicited gifts of nominal value or trivial items of informational value

(iv) reasonable expenses for food, travel, lodging, and scheduled entertainment of the Board member or employee for a meeting which is given in return for participating in a panel or speaking engagement at a meeting

(v) tickets or free admission extended to a Board member to attend a professional or intercollegiate sporting event or charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy extended to the office

(vi) a specific gift or class of gifts which the Ethics Review Panel exempts upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the school system and that the gift is purely personal and private in nature.

E. It is not the intent of the Code to prohibit students and employees from participating in and accepting awards exceeding a $50 market value at events which are determined by the Ethics Review Panel to have an educational benefit. It is also not the intent of the code to prohibit the receipt of non-cash recognition for professional, educational, athletic, or scholastic achievements.

F. It is not the intent of the Code to prohibit gifts from a person related by blood or marriage, or a spouse, child, ward, financially dependent parent, or other relative who share the Board member's, the Superintendent's or an employee's legal residence, or a child, ward, parent, or other relative over whose financial affairs the person has legal or actual control.
G. A Board member may not accept complimentary tickets to attend events that the Board member may know or have reason to know are from or on behalf of political candidates or elected officials.]

Legal References: *Annotated Code of Maryland*, State Government Article [, §] §15-101, LEGISLATIVE FINDINGS; POLICY; LIBERAL CONSTRUCTION

*ANNOTATED CODE OF MARYLAND*, STATE GOVERNMENT ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF EDUCATION

COMAR 19A.05, BOARD OF EDUCATION REGULATIONS

RELATED POLICIES: BOARD OF EDUCATION POLICY 7330, CAPITAL PROJECTS THAT ARE FUNDED BY PRIVATE DONATIONS

Policy Board of Education of Baltimore County
Adopted: 10/08/96
Revised: 08/12/97
Revised: 03/11/08
Approved by SEC: 04/22/09
REVISED: ________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8363 - PROHIBITED CONDUCT

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8363. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8363
Statement of Issues or Questions Addressed
In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System
Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies
These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

Legal Requirements
1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems

1. **CALVERT COUNTY BOARD OF EDUCATION**
   - Policy Number 1740, *Ethics*
   - Policy Number 1740.1, *Definitions*
   - Policy Number 1740.2, *Ethics Panel*
   - Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   - Policy Number 1740.4, *Gifts*
   - Policy Number 1740.5, *Lobbying Disclosure*
   [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **CARROLL COUNTY BOARD OF EDUCATION**
   - Policy Number BC, *Ethics*
   [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **FREDERICK COUNTY BOARD OF EDUCATION**
   - Policy Number 109, *Ethics*
   - Policy Number 109.1, *Definitions*
   - Policy Number 109.3, *Prohibited Conduct and Interest*
   - Policy Number 109.4, *Financial Disclosure*
   - Policy Number 109.5, *Lobbying Disclosure*

4. **HOWARD COUNTY BOARD OF EDUCATION**
   - Policy Number 2070, *Ethics*
   [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **MONTGOMERY COUNTY BOARD OF EDUCATION**
   - Policy Number BBB, *Ethics*

6. **PRINCE GEORGE’S COUNTY BOARD OF EDUCATION**
   - Board Policy 0107, *Ethics*
   - Board Policy 0107.1, *Ethics - Definitions*
   - Board Policy 0108, *Ethics Panel*
   - Board Policy 0109, *Conflict of Interest*
   - Board Policy 0111, *Board Financial Disclosure*
   - Board Policy 0112, *Lobbying Disclosure*
   [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **WASHINGTON COUNTY BOARD OF EDUCATION**
   - Policy Number BBF-E, *Code of Ethics for School Board Members*
   - Policy BDF-E, *Ethics Advisory Panel*
   [http://www.boarddocs.com/mabe/wcps/Board.nsf](http://www.boarddocs.com/mabe/wcps/Board.nsf)

**Draft of Proposed Policy**
- Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

Conflict of Interest – PROHIBITED CONDUCT

I. POLICY STATEMENT

MEMBERS OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD), THE SUPERINTENDENT, EMPLOYEES, CONSULTANTS, AND VOLUNTEERS (HEREINAFTER, “SCHOOL SYSTEM OFFICIAL”) [Board members, employees, and volunteers] shall not participate on behalf of the school system in any matter which would, to their knowledge, have a direct financial impact, as distinguished from the public generally, on them, THEIR IMMEDIATE FAMILY, [ their spouse, dependent child, ward, parent, or other who shares the Board member's, employee's, or volunteer's legal residence] or a business entity with which they are affiliated.

II. PARTICIPATION

A. EXCEPT AS PERMITTED BY BOARD POLICIES OR IN THE EXERCISE OF AN ADMINISTRATIVE OR MINISTERIAL DUTY THAT DOES NOT AFFECT THE DISPOSITION OR DECISION IN THE MATTER, A SCHOOL SYSTEM OFFICIAL MAY NOT PARTICIPATE IN:

1. ANY MATTER IN WHICH, TO THE KNOWLEDGE OF THE SCHOOL SYSTEM OFFICIAL, THE OFFICIAL OR A QUALIFIED RELATIVE OF THE OFFICIAL HAS AN INTEREST; OR

2. ANY MATTER IN WHICH ANY OF THE FOLLOWING IS A PARTY:
   a. A BUSINESS ENTITY IN WHICH THE OFFICIAL HAS A DIRECT FINANCIAL INTEREST OF WHICH THE OFFICIAL MAY REASONABLY BE EXPECTED TO KNOW;
   b. A BUSINESS ENTITY FOR WHICH THE SCHOOL SYSTEM OFFICIAL OR A QUALIFIED RELATIVE OF THE OFFICIAL IS AN OFFICER, DIRECTOR, TRUSTEE, PARTNER, OR EMPLOYEE;
c. A BUSINESS ENTITY WITH WHICH THE SCHOOL SYSTEM OFFICIAL OR, TO THE KNOWLEDGE OF THE OFFICIAL, A QUALIFIED RELATIVE OF THE OFFICIAL IS NEGOTIATING OR HAS ANY ARRANGEMENT CONCERNING PROSPECTIVE EMPLOYMENT;

d. A BUSINESS ENTITY THAT IS A PARTY TO AN EXISTING CONTRACT WITH THE SCHOOL SYSTEM OFFICIAL OR WHICH, TO THE KNOWLEDGE OF THE OFFICIAL, A QUALIFIED RELATIVE OF THE OFFICIAL, IF THE CONTRACT REASONABLY COULD BE EXPECTED TO RESULT IN A CONFLICT BETWEEN THE PRIVATE INTERESTS OF THE OFFICIAL AND THE SCHOOL SYSTEM OR BOARD DUTIES OF THE OFFICIAL;

e. AN ENTITY, DOING BUSINESS WITH THE BOARD OR SCHOOL SYSTEM, IN WHICH A DIRECT FINANCIAL INTEREST IS OWNED BY ANOTHER ENTITY IN WHICH THE SCHOOL SYSTEM OFFICIAL HAS A DIRECT FINANCIAL INTEREST, IF THE OFFICIAL MAY BE REASONABLY EXPECTED TO KNOW OF BOTH DIRECT FINANCIAL INTERESTS; OR

f. A BUSINESS ENTITY THAT THE SCHOOL SYSTEM OFFICIAL KNOWS IS A CREDITOR OR OBLIGEE OF THE OFFICIAL OR A QUALIFIED RELATIVE OF THE OFFICIAL WITH RESPECT TO A THING OF ECONOMIC VALUE; AND AS A CREDITOR OR OBLIGEE, IS IN A POSITION TO DIRECTLY AND SUBSTANTIALLY AFFECT THE INTEREST OF THE SCHOOL SYSTEM OFFICIAL OR QUALIFIED RELATIVE OF THE OFFICIAL.

B. A SCHOOL SYSTEM OFFICIAL WHO IS DISQUALIFIED FROM PARTICIPATING UNDER PARAGRAPH A OF THIS SECTION SHALL DISCLOSE THE NATURE AND CIRCUMSTANCES OF THE CONFLICT AND MAY PARTICIPATE OR ACT IF:

1. THE DISQUALIFICATION LEAVES THE BOARD OR SOME OTHER BOARD-APPOINTED BODY WITH LESS THAN A QUORUM CAPABLE OF ACTING;

2. THE DISQUALIFIED OFFICIAL IS REQUIRED BY LAW TO ACT; OR
3. THE DISQUALIFIED OFFICIAL IS THE ONLY PERSON AUTHORIZED TO ACT.

C. THE PROHIBITIONS LISTED ABOVE DO NOT APPLY IF PARTICIPATION IS ALLOWED BY OPINION OF THE PANEL.

III. EMPLOYMENT AND FINANCIAL INTERESTS.

A. EXCEPT AS PERMITTED BY BOARD POLICIES WHEN THE INTEREST IS DISCLOSED, OR WHEN THE EMPLOYMENT DOES NOT CREATE A CONFLICT OF INTEREST OR APPEARANCE OF A CONFLICT, A SCHOOL SYSTEM OFFICIAL MAY NOT:
   1. BE EMPLOYED BY OR HAVE A FINANCIAL INTEREST IN AN ENTITY THAT IS SUBJECT TO THE AUTHORITY OF THE BOARD OR SCHOOL SYSTEM;
   2. HAVE A FINANCIAL INTEREST IN OR MAINTAIN SECONDARY EMPLOYMENT WITH A BUSINESS ENTITY THAT IS NEGOTIATING WITH OR HAS ENTERED INTO A CONTRACT WITH THE BOARD OR SCHOOL SYSTEM; OR
   3. HOLD ANY OTHER EMPLOYMENT RELATIONSHIP THAT WOULD IMPAIR THE IMPARTIALITY OR INDEPENDENCE OF JUDGMENT OF THE OFFICIAL.

B. THE PROHIBITION DESCRIBED ABOVE DOES NOT APPLY TO:
   1. A SCHOOL SYSTEM OFFICIAL WHOSE DUTIES ARE MINISTERIAL, IF THE PRIVATE EMPLOYMENT OR FINANCIAL INTEREST DOES NOT CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A CONFLICT OF INTEREST, AS PERMITTED IN ACCORDANCE WITH POLICIES ADOPTED BY THE BOARD;
   2. SUBJECT TO OTHER PROVISIONS OF REGULATION AND LAW, A MEMBER OF THE BOARD IN REGARD TO A FINANCIAL INTEREST OR EMPLOYMENT HELD AT THE TIME OF THE OATH OF OFFICE, IF THE FINANCIAL INTEREST OR EMPLOYMENT WAS PUBLICLY DISCLOSED TO THE APPOINTING AUTHORITY AND THE PANEL AT THE TIME OF APPOINTMENT; OR
3. EMPLOYMENT OR FINANCIAL INTERESTS ALLOWED BY OPINION OF THE PANEL IF THE EMPLOYMENT DOES NOT CREATE A CONFLICT OF INTEREST OR THE APPEARANCE OF A CONFLICT OF INTEREST OR THE FINANCIAL INTEREST IS DISCLOSED.

IV. POST-EMPLOYMENT

A FORMER SCHOOL SYSTEM OFFICIAL MAY NOT ASSIST OR REPRESENT ANY PARTY OTHER THAN THE BOARD OR SCHOOL SYSTEM FOR COMPENSATION IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER INVOLVING THE BOARD OR THE SCHOOL SYSTEM IF THAT MATTER IS ONE IN WHICH THE FORMER OFFICIAL SIGNIFICANTLY PARTICIPATED WHILE A SCHOOL SYSTEM OFFICIAL.

V. CONTINGENT COMPENSATION

EXCEPT IN A JUDICIAL OR QUASI-JUDICIAL PROCEEDING, A SCHOOL SYSTEM OFFICIAL MAY NOT ASSIST OR REPRESENT A PARTY FOR CONTINGENT COMPENSATION IN ANY MATTER BEFORE OR INVOLVING THE BOARD OR SCHOOL SYSTEM.

VI. PRESTIGE OF OFFICE

A SCHOOL SYSTEM OFFICIAL MAY NOT INTENTIONALLY USE THE PRESTIGE OF OFFICE OR PUBLIC POSITION FOR PRIVATE GAIN OF THAT OFFICIAL OR THE PRIVATE GAIN OF ANOTHER. THIS SECTION DOES NOT PROHIBIT THE PERFORMANCE OF USUAL AND CUSTOMARY CONSTITUENT SERVICES BY A MEMBER OF THE BOARD WITHOUT ADDITIONAL COMPENSATION.

VII. DISCLOSURE OF CONFIDENTIAL INFORMATION

OTHER THAN IN THE DISCHARGE OF OFFICIAL DUTIES, A SCHOOL SYSTEM OFFICIAL MAY NOT DISCLOSE OR USE CONFIDENTIAL INFORMATION THAT THE OFFICIAL ACQUIRED BY REASON OF THE OFFICIAL’S POSITION AND THAT IS NOT AVAILABLE TO THE PUBLIC FOR THE ECONOMIC BENEFIT OF THE OFFICIAL OR THE ECONOMIC BENEFIT OF ANOTHER PERSON.
VIII. PROCUREMENT

A. AN INDIVIDUAL OR PERSON THAT EMPLOYS AN INDIVIDUAL WHO ASSISTS THE BOARD OR SCHOOL SYSTEM IN THE DRAFTING OF SPECIFICATIONS, AN INVITATION FOR BIDS, OR A REQUEST FOR PROPOSALS FOR A PROCUREMENT MAY NOT SUBMIT A BID OR PROPOSAL FOR THAT PROCUREMENT OR ASSIST OR REPRESENT ANOTHER PERSON, DIRECTLY OR INDIRECTLY, WHO IS SUBMITTING A BID OR PROPOSAL FOR THE PROCUREMENT.

B. THE PANEL MAY ESTABLISH EXEMPTIONS FROM THE REQUIREMENTS OF THIS SECTION FOR PROVIDING DESCRIPTIVE LITERATURE, SOLE SOURCE PROCUREMENTS, AND WRITTEN COMMENTS SOLICITED BY THE PROCURING UNIT OF THE SCHOOL SYSTEM.

IX. POLITICAL ACTIVITY

A. AFFIRMATION OF POLITICAL RIGHTS
THE BOARD RECOGNIZES THE RIGHTS OF SCHOOL SYSTEM OFFICIALS TO PARTICIPATE IN POLITICAL AND GOVERNMENTAL AFFAIRS IN THE MANNER AFFORDED ALL OTHER CITIZENS: THE RIGHT TO VOTE, THE RIGHT TO BE AN ACTIVE MEMBER OF A POLITICAL PARTY, THE RIGHT TO CAMPAIGN FOR ELECTION TO PUBLIC OFFICE, AND THE RIGHT TO SEEK, CAMPAIGN FOR, AND SERVE IN PUBLIC OFFICE.

B. RESTRICTIONS
1. THE POLITICAL ACTIVITIES OF ANY SCHOOL SYSTEM OFFICIAL SEEKING OR HOLDING PUBLIC OFFICE OR CAMPAIGNING FOR A POLITICAL CANDIDATE MUST BE CONDUCTED OUTSIDE THE WORKPLACE AND OUTSIDE WORKING HOURS;
2. AN OFFICIAL MUST REFRAIN FROM EXPLOITING THE PRIVILEGE OF HIS OR HER POSITION
3. AN OFFICIAL MUST NOT INVOLVE STUDENTS IN POLITICAL ACTIVITIES FOR HIM OR HERSELF OR FOR ANY PARTY, CANDIDATE, OR POLITICAL ISSUES WHICH THE PERSON IS PROMOTING.
C. THE FOLLOWING ACTIVITIES ARE SPECIFICALLY PROHIBITED ON PROPERTY UNDER THE JURISDICTION OF THE BOARD, EXCEPT BY GUIDELINES ESTABLISHED BY THE BOARD, APPLICABLE COUNTY ORDINANCES, AND ITS BARGAINING UNITS:
1. POSTING OF POLITICAL CIRCULARS OR PETITIONS;
2. THE USE OF ANY SCHOOL OR OFFICE STENOGRAPHIC HELP, TELEPHONES, SUPPLIES, OR EQUIPMENT.

X. ROYALTIES/PERSONAL GAIN

A. NO ROYALTIES WILL BE PAID TO A SCHOOL SYSTEM OFFICIAL FOR TEXTBOOKS, INSTRUCTIONAL MATERIALS, OR PROGRAMS WRITTEN OR PRODUCED DURING WORKING HOURS.

B. NO SCHOOL SYSTEM OFFICIAL WILL BE PERMITTED TO USE, FOR COMMERCIAL PURPOSES, ANY PHOTOGRAPHS OR INFORMATION – INCLUDING, BUT NOT LIMITED TO, TEST SCORES AND OTHER CONFIDENTIAL DATA.

C. NO SCHOOL SYSTEM EMPLOYEE WILL BE PERMITTED TO COMPILe LISTS OF STUDENT AND/OR PARENT NAMES, ADDRESSES, PHONE NUMBERS, OR RELATED INFORMATION AVAILABLE THROUGH HIS OR HER POSITION FOR ANY OTHER PERSON OR COMMERCIAL ENTERPRISE.

XI. EMPLOYEE PROHIBITIONS

A. AN EMPLOYEE MAY NOT BE IN A POSITION THAT DIRECTLY SUPERVISES, EVALUATES, OR DISCIPLINES AN IMMEDIATE FAMILY MEMBER.

B. AN EMPLOYEE MAY NOT USE HIS OR HER POSITION TO BENEFIT AN IMMEDIATE FAMILY MEMBER.

C. AN EMPLOYEE WITH INSTRUCTIONAL RESPONSIBILITY SHALL NOT TUTOR, FOR PRIVATE GAIN, ANY STUDENT WHO HE OR SHE IS CURRENTLY TEACHING.
1. **Outside Employment**

   (a) Board members, employees, and volunteers may not participate in outside employment if the work:

   - is incompatible with the proper performance of official duties
   - impairs the impartiality or independence of judgment or action of the employee
   - affects the performance of the employee.

   (b) A person engaged in outside employment may not:

   - benefit from business with the school system or from relationships with students
   - represent any party before the school system
   - use confidential information acquired in his or her official school system position for personal benefit or that of another.

   (c) Any employee with instructional responsibility shall not tutor, for compensation, any student whom he or she is currently teaching.

2. **Stock Ownership**

   (a) A Board member or employee may own stock in an entity that does business with the Board of Education as long as the individual is not in a position of influence with a publicly-traded company and if the individual is not in a school system position which can benefit the company.

   (b) A Board member or employee may not hold a position of influence in a non-stock company that does business with the Board of Education (including, but not limited to, a partnership or a limited liability corporation).

3. **Exception**

   The prohibitions listed in sections 1(a-b) and 2(a-b) of this policy do not apply to individuals appointed to the Board who hold an employment or financial interest when appointed if the employment or financial interest is publicly disclosed to the appointing authority and the Ethics Review Panel.
4. Political Activity

(a) Affirmation of Political Rights

The Baltimore County Public Schools recognize the rights of Board members, employees, and volunteers to participate in political and governmental affairs in the manner afforded all other citizens: the right to vote, the right to be an active member of a political party, the right to campaign for election to public office, and the right to seek, campaign for, and serve in public office.

(b) Restrictions

• The political activities of any employee or volunteer seeking or holding public office or campaigning for a political candidate must be conducted outside the workplace and outside working hours.
• An employee or volunteer must refrain from exploiting the privilege of his or her position.
• An employee or volunteer must not involve students in political activities for him or herself or for any party, candidate, or political issues which the person is promoting.

(c) Prohibited Activities

The following activities are specifically prohibited on property under the jurisdiction of the Board, except by guidelines established by the Board and bargaining units:

• posting of political circulars or petitions
• the use of any school or office stenographic help, telephones, supplies, or equipment.

5. Royalties/Personal Gain

(a) No royalties will be paid to employees or volunteers for textbooks, instructional materials, or programs written or produced during working hours.
(b) No Board member, employee, or volunteer, will be permitted to use--for commercial purposes--any photographs or information--including test scores and other confidential data--gained through his or her position unless prior approval is provided in writing from the Superintendent of Schools.

(c) No Board member, employee, or volunteer will be permitted to compile lists of students' and/or parents' names, addresses, phone numbers, or related information available through his or her position for any other person or commercial enterprise unless the compilation of such data has been approved in writing by the individual's supervisor and serves a valid educational purpose and only as permitted by the provisions of the Annotated Code of Maryland, State Government Article, §10-611 et seq.

6. Prohibitions

(a) No Board member or employee shall:

- represent any party, for a contingent fee, before or involving the Board of Education
- act as a compensated representative of another party in connection with a case, contract, or any specific matter in which he or she participated substantially as a Board member or employee, within one (1) year following termination of service to the school system
- use the prestige of office for personal benefit or that of another
- use confidential information acquired in an official school system position for personal benefit or that of another.

(b) An employee may not be in a position that directly supervises, evaluates, or disciplines an immediate family member. An employee may not use his or her position to benefit an immediate family member.

Also see Master Agreement between Board of Education of Baltimore County and the Teachers' Association of Baltimore County]
Legal ReferenceS:  
ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT
ARTICLE §15-101, LEGISLATIVE FINDINGS; POLICY; LIBERAL CONSTRUCTION
ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT
ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF EDUCATION
COMAR 19A.05, BOARD OF EDUCATION REGULATIONS
[Annotated Code of Maryland, State Government Article, §10-611 et seq.]

RELATED POLICIES: BOARD OF EDUCATION POLICY 4005, TUTORING/EDUCATIONAL SERVICES
BOARD OF EDUCATION POLICY 4100, EMPLOYEE CONDUCT AND RESPONSIBILITIES

Policy       Board of Education of Baltimore County
Adopted: 10/08/96
Revised: 08/12/97
Revised: 09/23/98
REVISED: __________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8364 - FINANCIAL DISCLOSURE STATEMENTS

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8364. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8364
Statement of Issues or Questions Addressed
In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System
Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies
These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

Legal Requirements
1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems

1. **Calvert County Board of Education**
   Policy Number 1740. *Ethics*
   Policy Number 1740.1, *Definitions*
   Policy Number 1740.2, *Ethics Panel*
   Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   Policy Number 1740.4, *Gifts*
   Policy Number 1740.5, *Lobbying Disclosure*
   [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **Carroll County Board of Education**
   Policy Number BC, *Ethics*
   [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **Frederick County Board of Education**
   Policy Number 109, *Ethics*
   Policy Number 109.1, *Definitions*
   Policy Number 109.3, *Prohibited Conduct and Interest*
   Policy Number 109.4, *Financial Disclosure*
   Policy Number 109.5, *Lobbying Disclosure*

4. **Howard County Board of Education**
   Policy Number 2070, *Ethics*
   [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **Montgomery County Board of Education**
   Policy Number BBB, *Ethics*

6. **Prince George’s County Board of Education**
   Board Policy 0107, *Ethics*
   Board Policy 0107.1, *Ethics - Definitions*
   Board Policy 0108, *Ethics Panel*
   Board Policy 0109, *Conflict of Interest*
   Board Policy 0111, *Board Financial Disclosure*
   Board Policy 0112, *Lobbying Disclosure*
   [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **Washington County Board of Education**
   Policy Number BBF-E, *Code of Ethics for School Board Members*
   Policy BDF-E, *Ethics Advisory Panel*
   [http://www.boarddocs.com/mabe/wcps/Board.ns](http://www.boarddocs.com/mabe/wcps/Board.ns)

**Draft of Proposed Policy**
Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

Financial Disclosure STATEMENTS

[A. Board members and employees listed below as officials shall file annually no later than April 30 of each calendar year during which they hold office, a statement with the Ethics Review Panel disclosing any gifts exceeding a $50 market value received during the preceding calendar year from any person under the authority of the school system or having a contract with the school system. The statement shall identify the donor of the gift and its approximate retail value at the time of receipt. A Board of Education member or required employee who has not filed a statement of financial disclosure and who is appointed to fill a vacancy to a position listed under officials required to file shall file a statement covering the calendar year in which the official is appointed within 30 days after appointment.

B. Officials required to file:]  

I. INDIVIDUALS REQUIRED TO FILE

THIS POLICY APPLIES TO THE FOLLOWING INDIVIDUALS OF THE SCHOOL SYSTEM:
A. [(i)] MEMBERS OF THE Board of Education OF BALTIMORE COUNTY (BOARD) [members];  
B. [(ii)] Superintendent;  
C. [(iii)] Deputy Superintendent; 
D. [(iv)] Assistant Superintendents;  
E. [(v)] Superintendent’s Staff members; 
F. [(vi)] Office heads in the positions of Executive Director, Director, Manager, and Coordinator;  
G. [(vii)] Principals;  
H. [(viii)] Purchasing Agents; 
I. [(ix)] Any other employees who have authority to make the final decision to commit the school system to the expenditure of public funds; 
J. [(x)] Other employees so designated by the Board [of Education] as periodic review would suggest.

[C. All specified officials shall file a statement with the Ethics Review Panel disclosing any interest or employment the holding of which would require disqualification from participation pursuant to conflict of interest of the Ethics Code, sufficiently in advance of any anticipated action to allow adequate disclosure to the public.
(i) All statements filed pursuant to this policy shall be on a form developed by the Ethics Review Panel.

(ii) Disclosure statements filed pursuant to this policy shall be maintained by the Ethics Review Panel as public records available for public inspection and copying.]

II. EACH INDIVIDUAL LISTED ABOVE SHALL FILE THE FINANCIAL DISCLOSURE STATEMENT REQUIRED BY THIS POLICY ON A FORM PROVIDED BY THE PANEL, UNDER OATH OR AFFIRMATION, WITH THE PANEL OR THE OFFICE DESIGNATED BY THE BOARD.

III. DEADLINES FOR FILING STATEMENTS

A. PERSONS REQUIRED TO FILE IN PARAGRAPH I SHALL FILE A FINANCIAL DISCLOSURE STATEMENT ANNUALLY BY NO LATER THAN APRIL 30 OF EACH YEAR FOR THE PRECEDING CALENDAR YEAR.

B. AN INDIVIDUAL WHO IS APPOINTED TO FILL A VACANCY IN AN OFFICE FOR WHICH A FINANCIAL DISCLOSURE STATEMENT IS REQUIRED AND WHO HAS NOT ALREADY FILED A FINANCIAL DISCLOSURE STATEMENT SHALL FILE A STATEMENT FOR THE PRECEDING CALENDAR YEAR WITHIN 30 DAYS AFTER APPOINTMENT.

C. AN INDIVIDUAL WHO, OTHER THAN BY REASON OF DEATH, LEAVES AN OFFICE FOR WHICH A STATEMENT IS REQUIRED SHALL FILE A STATEMENT WITHIN 60 DAYS AFTER LEAVING THE OFFICE. THE STATEMENT SHALL COVER THE CALENDAR YEAR IMMEDIATELY PRECEDEING THE YEAR IN WHICH THE INDIVIDUAL LEFT OFFICE, UNLESS A STATEMENT COVERING THE YEAR HAS ALREADY BEEN FILED BY THE INDIVIDUAL; AND THE PORTION OF THE CURRENT CALENDAR YEAR DURING WHICH THE INDIVIDUAL HELD THE OFFICE.

IV. PUBLIC RECORD

A. THE PANEL OR OFFICE DESIGNATED BY THE BOARD SHALL MAINTAIN ALL FINANCIAL DISCLOSURE STATEMENTS FILED UNDER THIS POLICY.
B. THE PANEL OR OFFICE DESIGNATED BY THE BOARD SHALL MAKE FINANCIAL DISCLOSURE STATEMENTS AVAILABLE DURING NORMAL OFFICE HOURS, FOR EXAMINATION AND COPYING BY THE PUBLIC SUBJECT TO REASONABLE FEES AND ADMINISTRATIVE PROCEDURES ESTABLISHED BY THE SCHOOL SYSTEM. (SEE, SUPERINTENDENT’S RULE 2373, PUBLIC INFORMATION ACT REQUESTS: SCHEDULE OF FEES)


V. RETENTION REQUIREMENTS

THE PANEL OR THE OFFICE DESIGNATED BY THE BOARD SHALL RETAIN FINANCIAL DISCLOSURE STATEMENTS FOR FOUR (4) YEARS FROM THE DATE OF RECEIPT.

VI. CONTENTS OF THE FINANCIAL DISCLOSURE STATEMENT

A. INTERESTS IN REAL PROPERTY
   1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF ALL INTERESTS IN REAL PROPERTY WHEREVER LOCATED.
   2. FOR EACH INTEREST IN REAL PROPERTY, THE SCHEDULE SHALL INCLUDE:
      a. THE NATURE OF THE PROPERTY AND THE LOCATION BY STREET ADDRESS, MAILING ADDRESS, OR LEGAL DESCRIPTION OF THE PROPERTY;
b. THE NATURE AND EXTENT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;
c. THE DATE WHEN, THE MANNER IN WHICH, AND THE IDENTITY OF THE PERSON FROM WHOM THE INTEREST WAS ACQUIRED;
d. THE NATURE AND AMOUNT OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE INTEREST OR, IF ACQUIRED OTHER THAN BY PURCHASE, THE FAIR MARKET VALUE OF THE INTEREST AT THE TIME ACQUIRED;
e. IF ANY INTEREST WAS TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND
f. THE IDENTITY OF ANY OTHER PERSON WITH AN INTEREST IN THE PROPERTY.

B. INTERESTS IN CORPORATIONS AND PARTNERSHIPS
   1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF ALL INTERESTS IN ANY CORPORATION, PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY CORPORATION, REGARDLESS OF WHETHER THE CORPORATION OR PARTNERSHIP DOES BUSINESS WITH THE BOARD OR THE SCHOOL SYSTEM.
   2. FOR EACH INTEREST IN CORPORATIONS AND PARTNERSHIPS, THE SCHEDULE SHALL INCLUDE:
      a. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE CORPORATION, PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY CORPORATION;
      b. THE NATURE AND AMOUNT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS AND ENCUMBRANCES ON THE INTEREST;
c. WITH RESPECT TO ANY INTEREST TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND, IF KNOWN, THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND


3. AN INDIVIDUAL MAY SATISFY THE REQUIREMENTS TO REPORT THE AMOUNT OF THE INTEREST HELD IN THE ENTITIES LISTED ABOVE, BY REPORTING, INSTEAD OF A DOLLAR AMOUNT: FOR AN EQUITY INTEREST IN A CORPORATION, THE NUMBER OF SHARES HELD AND, UNLESS THE CORPORATION’S STOCK IS PUBLICLY TRADED, THE PERCENTAGE OF EQUITY INTEREST HELD; OR FOR AN EQUITY INTEREST IN A PARTNERSHIP, THE PERCENTAGE OF THE EQUITY INTEREST HELD.

C. INTERESTS IN BUSINESS ENTITIES DOING BUSINESS WITH THE BOARD OR THE SCHOOL SYSTEM

1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF ALL INTERESTS IN ANY BUSINESS ENTITY THAT DOES BUSINESS WITH THE BOARD OR THE SCHOOL SYSTEM, OTHER THAN INTERESTS REPORTED UNDER PARAGRAPH B ABOVE.

2. FOR EACH INTEREST REPORTED UNDER THIS PARAGRAPH, THE SCHEDULE SHALL INCLUDE:
   a. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE BUSINESS ENTITY;
b. THE NATURE AND AMOUNT OF THE INTEREST HELD, INCLUDING ANY CONDITIONS TO AND ENCUMBRANCES ON THE INTEREST;

c. WITH RESPECT TO ANY INTEREST TRANSFERRED, IN WHOLE OR IN PART, AT ANY TIME DURING THE REPORTING PERIOD, A DESCRIPTION OF THE INTEREST TRANSFERRED, THE NATURE AND AMOUNT OF THE CONSIDERATION RECEIVED FOR THE INTEREST, AND, IF KNOWN, THE IDENTITY OF THE PERSON TO WHOM THE INTEREST WAS TRANSFERRED; AND


D. GIFTS

1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF EACH GIFT IN EXCESS OF $20.00 IN VALUE OR A SERIES OF GIFTS TOTALING $100.00 OR MORE RECEIVED DURING THE REPORTING PERIOD FROM OR ON BEHALF OF, DIRECTLY OR INDIRECTLY, ANY ONE PERSON WHO DOES BUSINESS WITH THE BOARD OR THE SCHOOL SYSTEM.

2. FOR EACH GIFT REPORTED UNDER THIS PARAGRAPH, THE SCHEDULE SHALL INCLUDE:

   a. A DESCRIPTION OF THE NATURE AND VALUE OF THE GIFT; AND

   b. THE IDENTITY OF THE PERSON FROM WHOM, OR ON BEHALF OF WHOM, DIRECTLY OR INDIRECTLY, THE GIFT WAS RECEIVED.
E. EMPLOYMENT WITH OR INTEREST IN ENTITIES DOING BUSINESS WITH THE BOARD OR SCHOOL SYSTEM

1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF ALL OFFICES, DIRECTORSHIPS, AND SALARIED EMPLOYMENT BY THE INDIVIDUAL OR MEMBER OF THE IMMEDIATE FAMILY OF THE INDIVIDUAL HELD AT ANY TIME DURING THE REPORTING PERIOD WITH ENTITIES DOING BUSINESS WITH THE BOARD OR SCHOOL SYSTEM.

2. FOR EACH POSITION REPORTED UNDER THIS PARAGRAPH, THE SCHEDULE SHALL INCLUDE:
   a. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE OF THE BUSINESS ENTITY;
   b. THE TITLE AND NATURE OF THE OFFICE, DIRECTORSHIP, OR SALARIED EMPLOYMENT HELD AND THE DATE IT COMMENCED; AND
   c. THE NAME OF EACH BOARD OR SCHOOL SYSTEM UNIT WITH WHICH THE ENTITY IS INVOLVED AS INDICATED BY IDENTIFYING ONE OR MORE OF THE THREE CATEGORIES OF “DOING BUSINESS WITH,” AS DEFINED IN BOARD POLICY 8360, APPLICABILITY AND DEFINITIONS.

F. INDEBTEDNESS TO ENTITIES DOING BUSINESS WITH THE BOARD OR SCHOOL SYSTEM

1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF ALL LIABILITIES, EXCLUDING RETAIL CREDIT ACCOUNTS, TO PERSONS DOING BUSINESS WITH THE BOARD OR SCHOOL SYSTEM OWED AT ANY TIME DURING THE REPORTING PERIOD, BY THE INDIVIDUAL; OR BY A MEMBER OF THE IMMEDIATE FAMILY OF THE INDIVIDUAL, IF THE INDIVIDUAL WAS INVOLVED IN THE TRANSACTION GIVING RISE TO THE LIABILITY.

2. FOR EACH LIABILITY REPORTED UNDER THIS PARAGRAPH, THE SCHEDULE SHALL INCLUDE:
   a. THE IDENTITY OF THE PERSON TO WHOM THE LIABILITY WAS OWED AND THE DATE THE LIABILITY WAS INCURRED;
   b. THE AMOUNT OF THE LIABILITY OWED AS OF THE END OF THE REPORTING PERIOD;
c. THE TERMS OF PAYMENT OF THE LIABILITY AND THE EXTENT TO WHICH THE PRINCIPAL AMOUNT OF THE LIABILITY WAS INCREASED OR REDUCED DURING THE YEAR; AND
d. THE SECURITY GIVEN, IF ANY, FOR THE LIABILITY.

G. EMPLOYMENT WITH THE BOARD OR SCHOOL SYSTEM
1. THE STATEMENT SHALL INCLUDE A SCHEDULE OF THE IMMEDIATE FAMILY MEMBERS OF THE INDIVIDUAL EMPLOYED BY THE BOARD OR SCHOOL SYSTEM IN ANY CAPACITY AT ANY TIME DURING THE REPORTING PERIOD.

H. SOURCES OF EARNED INCOME
2. A MINOR CHILD’S EMPLOYMENT OR BUSINESS OWNERSHIP NEED NOT BE DISCLOSED IF THE BOARD OR SCHOOL SYSTEM DOES NOT REGULATE, EXERCISE AUTHORITY OVER, OR CONTRACT WITH THE PLACE OF EMPLOYMENT OR BUSINESS ENTITY OF THE MINOR CHILD.

I. THE STATEMENT MAY ALSO INCLUDE A SCHEDULE OF ADDITIONAL INTERESTS OR INFORMATION THAT THE INDIVIDUAL MAKING THE STATEMENT WISHES TO DISCLOSE.

VII. DEFINITION OF “INTEREST”

A. FOR THE PURPOSES OF SECTIONS A, B, AND C ABOVE (INTERESTS IN REAL PROPERTY, CORPORATIONS AND PARTNERSHIPS, AND BUSINESS ENTITIES DOING BUSINESS WITH THE BOARD AND SCHOOL SYSTEM), THE FOLLOWING INTERESTS ARE CONSIDERED TO BE THE INTERESTS OF THE INDIVIDUAL MAKING THE STATEMENT.
B. AN INTEREST HELD BY A MEMBER OF THE INDIVIDUAL’S IMMEDIATE FAMILY, IF THE INTEREST WAS, AT ANY TIME DURING THE REPORTING PERIOD, DIRECTLY OR INDIRECTLY CONTROLLED BY THE INDIVIDUAL.

C. AN INTEREST HELD BY A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A 30% OR GREATER INTEREST AT ANY TIME DURING THE REPORTING PERIOD.

D. AN INTEREST HELD BY A TRUST OR AN ESTATE IN WHICH, AT ANY TIME DURING THE REPORTING PERIOD THE INDIVIDUAL HELD A REVERSIONARY INTEREST OR WAS A BENEFICIARY; OR IF A REVOCABLE TRUST, THE INDIVIDUAL WAS A SETTLOR.

VIII. ETHICS PANEL REVIEW

A. THE PANEL SHALL REVIEW THE FINANCIAL DISCLOSURE STATEMENTS SUBMITTED UNDER THIS POLICY FOR COMPLIANCE WITH THE PROVISIONS OF THIS POLICY AND SHALL NOTIFY AN INDIVIDUAL SUBMITTING THE STATEMENT OF ANY OMISSIONS OR DEFICIENCIES.

B. THE BOARD MAY TAKE APPROPRIATE ENFORCEMENT ACTION TO ENSURE COMPLIANCE WITH THIS POLICY.

Legal Reference:  Annotated Code of Maryland, State Government Article §15-813, FINANCIAL DISCLOSURE

Related RULE [Policies]: Superintendent’s Rule 2373, Public Information ACT Requests: Schedule of Fees

Policy       Board of Education of Baltimore County
Adopted:  10/18/96
Revised:  08/12/97
Revised: 12/02/08
Approved by SEC: 04/22/09
REVISED: _________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8365 – LOBBYING

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8365. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8365
POLICY ANALYSIS FOR
REVISIONS TO THE BOARD OF EDUCATION’S ETHICS CODE POLICIES
POLICY 8360, APPLICABILITY AND DEFINITIONS
POLICY 8361, STATEMENT OF PURPOSE AND POLICY
POLICY 8362, GIFTS
POLICY 8363, CONFLICT OF INTEREST – PROHIBITED CONDUCT
POLICY 8364, FINANCIAL DISCLOSURE STATEMENTS
POLICY 8365, LOBBYING
POLICY 8366, ETHICS REVIEW PANEL

Statement of Issues or Questions Addressed
In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System
Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies
These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

Legal Requirements
1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems

1. **Calvert County Board of Education**
   - Policy Number 1740, *Ethics*
   - Policy Number 1740.1, *Definitions*
   - Policy Number 1740.2, *Ethics Panel*
   - Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   - Policy Number 1740.4, *Gifts*
   - Policy Number 1740.5, *Lobbying Disclosure*
   - [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **Carroll County Board of Education**
   - Policy Number BC, *Ethics*
   - [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **Frederick County Board of Education**
   - Policy Number 109, *Ethics*
   - Policy Number 109.1, *Definitions*
   - Policy Number 109.3, *Prohibited Conduct and Interest*
   - Policy Number 109.4, *Financial Disclosure*
   - Policy Number 109.5, *Lobbying Disclosure*
   - [http://fcps.schoolwires.com/152910821132356427/site/default.asp](http://fcps.schoolwires.com/152910821132356427/site/default.asp)

4. **Howard County Board of Education**
   - Policy Number 2070, *Ethics*
   - [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **Montgomery County Board of Education**
   - Policy Number BBB, *Ethics*
   - [http://www.mcps.k12.md.us/departments/policy/](http://www.mcps.k12.md.us/departments/policy/)

6. **Prince George’s County Board of Education**
   - Board Policy 0107, *Ethics*
   - Board Policy 0107.1, *Ethics - Definitions*
   - Board Policy 0108, *Ethics Panel*
   - Board Policy 0109, *Conflict of Interest*
   - Board Policy 0111, *Board Financial Disclosure*
   - Board Policy 0112, *Lobbying Disclosure*
   - [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **Washington County Board of Education**
   - Policy Number BBF-E, *Code of Ethics for School Board Members*
   - Policy BDF-E, *Ethics Advisory Panel*
   - [http://www.boarddocs.com/mabe/wcps/Board.nsf](http://www.boarddocs.com/mabe/wcps/Board.nsf)

**Draft of Proposed Policy**

Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

Lobbying [Disclosure]

I. EXCEPT AS PROVIDED IN SECTIONS II AND III OF THIS POLICY, A PERSON OR ENTITY WHO ENGAGES IN LOBBYING WITH THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) AS DEFINED IN BOARD POLICY 8360, APPLICABILITY AND DEFINITIONS, SHALL FILE A LOBBYING REGISTRATION WITH THE PANEL OR THE OFFICE DESIGNATED BY THE BOARD.

II. THE FOLLOWING ACTIVITIES ARE EXEMPT FROM REGULATION UNDER THIS POLICY

A. PROFESSIONAL SERVICES IN ADVISING AND RENDERING OPINIONS TO CLIENTS AS TO THE CONSTRUCTION AND EFFECT OF PROPOSED OR PENDING BOARD ACTIONS WHEN THESE SERVICES DO NOT OTHERWISE CONSTITUTE LOBBYING;

B. APPEARANCES BEFORE THE BOARD UPON ITS SPECIFIC INVITATION OR REQUEST IF THE PERSON OR ENTITY ENGAGES IN NO FURTHER OR OTHER ACTIVITIES IN CONNECTION WITH THE PASSAGE OR DEFEAT OF BOARD ACTIONS;

C. APPEARANCES BEFORE AN ORGANIZATIONAL UNIT OF THE SCHOOL SYSTEM UPON THE SPECIFIC INVITATION OR REQUEST OF THE UNIT IF THE PERSON OR ENTITY ENGAGES IN NO FURTHER OR OTHER ACTIVITIES IN CONNECTION WITH THE PASSAGE OR DEFEAT OF THE BOARD OR SCHOOL SYSTEM ACTION;

D. APPEARANCE AS PART OF THE OFFICIAL DUTIES OF A DULY ELECTED OR APPOINTED OFFICIAL OR EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, OR OF THE UNITED STATES, AND NOT ON BEHALF OF ANY OTHER ENTITY;
E. ACTIONS OF A PUBLISHER OR WORKING MEMBER OF THE PRESS, RADIO, OR TELEVISION IN THE ORDINARY COURSE OF THE BUSINESS OF DISSEMINATING NEWS OR MAKING EDITORIAL COMMENT TO THE GENERAL PUBLIC WHO DOES NOT ENGAGE IN FURTHER OR OTHER LOBBYING THAT WOULD DIRECTLY AND SPECIFICALLY BENEFIT THE ECONOMIC, BUSINESS, OR PROFESSIONAL INTERESTS OF THE PERSON OR ENTITY OR THE EMPLOYER OF THE PERSON OR ENTITY;

F. APPEARANCES BY AN INDIVIDUAL BEFORE THE BOARD AT THE SPECIFIC INVITATION OR REQUEST OF A REGISTERED LOBBYIST IF THE PERSON PERFORMS NO OTHER LOBBYING ACT AND NOTIFIES THE BOARD THAT THE PERSON OR ENTITY IS TESTIFYING AT THE REQUEST OF THE LOBBYIST;

G. APPEARANCES BY AN INDIVIDUAL BEFORE THE AN ORGANIZATIONAL UNIT OF THE SCHOOL SYSTEM AT THE SPECIFIC INVITATION OR REQUEST OF A REGISTERED LOBBYIST IF THE PERSON OR ENTITY PERFORMS NO OTHER LOBBYING ACT AND NOTIFIES THE UNIT THAT THE PERSON OR ENTITY IS TESTIFYING AT THE REQUEST OF THE LOBBYIST;

H. THE REPRESENTATION OF A BONA FIDE RELIGIOUS ORGANIZATION SOLELY FOR THE PURPOSE OF PROTECTING THE RIGHT OF ITS OWN MEMBERS TO PRACTICE THE DOCTRINE OF THE ORGANIZATION; AND

I. APPEARANCE AS PART OF THE OFFICIAL DUTIES OF AN OFFICER, DIRECTOR, MEMBER, OR EMPLOYEE OF AN ASSOCIATION ENGAGED EXCLUSIVELY IN LOBBYING FOR COUNTIES AND MUNICIPALITIES AND NOT ON BEHALF OF ANY OTHER ENTITY.

III. LIMITED EXEMPTION – EMPLOYER OF A LOBBYIST

A. A PERSON OR ENTITY WHO EMPLOYS ONE OR MORE LOBBYISTS AND WHO WOULD OTHERWISE BE REQUIRED TO REGISTER AS A LOBBYIST IS NOT REQUIRED TO FILE A REGISTRATION AND SUBMIT LOBBYING REPORTS IF THE PERSON OR ENTITY REASONABLY BELIEVES THAT ALL EXPENSES INCURRED IN CONNECTION WITH THE LOBBYING
ACTIVITIES WILL BE REPORTED BY A PROPERLY REGISTERED PERSON OR ENTITY ACTING ON BEHALF OF THE PERSON OR ENTITY.

B. A PERSON OR ENTITY EXEMPTED UNDER THIS SUBSECTION BECOMES SUBJECT TO THIS POLICY IMMEDIATELY UPON FAILURE OF THE LOBBYIST TO REPORT ANY INFORMATION REQUIRED BY THIS POLICY.

IV. LOBBYIST REGISTRATION

A. THE REGISTRATION FILED UNDER THIS POLICY SHALL BE FILED ON OR BEFORE THE LATER OF THE BEGINNING OF THE CALENDAR YEAR IN WHICH THE PERSON OR ENTITY EXPECTS TO LOBBY AND WITHIN FIVE DAYS OF FIRST ENGAGING IN LOBBYING ACTIVITIES IN THE CALENDAR YEAR.

B. THE REGISTRATION FILED UNDER THIS POLICY SHALL BE DATED AND ON A FORM DEVELOPED BY THE PANEL AND SHALL INCLUDE:

1. THE LOBBYIST’S FULL AND LEGAL NAME AND PERMANENT ADDRESS;
2. THE NAME, ADDRESS, AND NATURE OF THE BUSINESS OF ANY PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS;
3. THE WRITTEN AUTHORIZATION OF ANY PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS OR AN AUTHORIZED OFFICER OR AGENT, WHO IS NOT THE LOBBYIST, OF THE PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS;
4. A STATEMENT OF WHETHER THE PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS IS EXEMPT FROM REGISTRATION UNDER SUBSECTION III, ABOVE;
5. THE IDENTIFICATION, BY FORMAL DESIGNATION, IF KNOWN, OF MATTERS ON WHICH THE LOBBYIST EXPECTS TO ACT;
6. IDENTIFICATION OF THE PERIOD OF TIME WITHIN A SINGLE CALENDAR YEAR DURING WHICH THE LOBBYIST IS AUTHORIZED TO ENGAGE IN THESE ACTIVITIES, UNLESS TERMINATED SOONER; AND
7. THE FULL LEGAL SIGNATURE OF THE LOBBYIST AND, WHEN APPROPRIATE, THE PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS OR AN AGENT OR AUTHORIZED OFFICER OF THE PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS.

V. A LOBBYIST SHALL FILE A SEPARATE REGISTRATION FOR EACH PERSON OR ENTITY THAT HAS ENGAGED OR EMPLOYED THE LOBBYIST FOR LOBBYING PURPOSES.

VI. A LOBBYIST MAY TERMINATE THE LOBBYIST’S REGISTRATION BY PROVIDING WRITTEN NOTICE TO THE PANEL AND SUBMITTING ALL OUTSTANDING REPORTS AND REGISTRATIONS.

VII. A PERSON OR ENTITY MAY NOT ENGAGE IN LOBBYING ACTIVITIES ON BEHALF OF ANOTHER PERSON OR ENTITY FOR COMPENSATION THAT IS CONTINGENT UPON THE PASSAGE OR DEFEAT OF ANY ACTION BY THE BOARD OR THE OUTCOME OF ANY SCHOOL SYSTEM ACTION.

VIII. ACTIVITY REPORT

A. A LOBBYIST SHALL FILE WITH THE PANEL OR THE OFFICE DESIGNATED BY THE BOARD:
   1. BY JULY 31, ONE REPORT CONCERNING THE LOBBYIST’S LOBBYING ACTIVITIES COVERING THE PERIOD BEGINNING JANUARY 1 THROUGH JUNE 30; AND
   2. BY JANUARY 31, ONE REPORT COVERING THE PERIOD BEGINNING JULY 1 THROUGH DECEMBER 31.

B. A LOBBYIST SHALL FILE A SEPARATE ACTIVITY REPORT FOR EACH PERSON OR ENTITY ON WHOSE BEHALF THE LOBBYIST ACTS.

C. IF THE LOBBYIST IS NOT AN INDIVIDUAL, AN AUTHORIZED OFFICER OR AGENT OF THE ENTITY SHALL SIGN THE FORM.
D. THE REPORT SHALL INCLUDE:

1. A COMPLETE AND CURRENT STATEMENT OF THE INFORMATION REQUIRED TO BE SUPPLIED WITH THE LOBBYIST’S REGISTRATION FORM.

2. TOTAL EXPENDITURES ON LOBBYING ACTIVITIES IN EACH OF THE FOLLOWING CATEGORIES:
   a. TOTAL COMPENSATION PAID TO THE LOBBYIST NOT INCLUDING EXPENSES REPORTED UNDER ITEMS b THROUGH i OF THIS SUBPARAGRAPH;
   b. OFFICE EXPENSES OF THE LOBBYIST;
   c. PROFESSIONAL AND TECHNICAL RESEARCH AND ASSISTANCE NOT REPORTED IN ITEM D.1. OF THIS SUBPARAGRAPH;
   d. PUBLICATIONS WHICH EXPRESSLY ENCOURAGE PERSONS TO COMMUNICATE WITH OFFICIALS;
   e. NAMES OF WITNESSES, AND THE FEES AND EXPENSES PAID TO EACH WITNESS;
   f. MEALS AND BEVERAGES FOR SCHOOL SYSTEM OFFICIALS;
   g. REASONABLE EXPENSES FOR FOOD, LODGING, AND SCHEDULED ENTERTAINMENT OF SCHOOL SYSTEM OFFICIALS FOR A MEETING WHICH IS GIVEN IN RETURN FOR PARTICIPATION IN A PANEL OR SPEAKING ENGAGEMENT AT THE MEETING;
   h. OTHER GIFTS TO OR FOR SCHOOL SYSTEM OFFICIALS OR MEMBERS OF THEIR IMMEDIATE FAMILIES; AND
   i. OTHER EXPENSES.

IX. SPECIAL GIFT REPORT

A. WITH THE SIX-MONTH ACTIVITY REPORT REQUIRED ABOVE, A LOBBYIST SHALL REPORT, EXCEPT FOR GIFTS REPORTED IN VIII.D.2.h. ABOVE, GIFTS FROM THE LOBBYIST WITH A CUMULATIVE VALUE OF $75.00 OR MORE DURING THE REPORTING PERIOD TO AN OFFICIAL OR MEMBER OF THE IMMEDIATE FAMILY OF AN OFFICIAL.
B. THE LOBBYIST SHALL REPORT GIFTS UNDER THIS PARAGRAPH REGARDLESS OF WHETHER THE GIFT WAS GIVEN IN CONNECTION WITH LOBBYING ACTIVITIES.

C. THE REPORT SHALL INCLUDE THE DATE, BENEFICIARY, AMOUNT OR VALUE, AND NATURE OF THE GIFT.

X. NOTIFICATION TO OFFICIAL AND CONFIDENTIALITY

A. IF ANY REPORT FILED UNDER THE POLICY CONTAINS THE NAME OF A SCHOOL SYSTEM OFFICIAL OR A MEMBER OF THE OFFICIAL’S IMMEDIATE FAMILY, THE PANEL SHALL NOTIFY THE OFFICIAL WITHIN 30 DAYS.

B. THE PANEL SHALL KEEP THE REPORT CONFIDENTIAL FOR 60 DAYS FOLLOWING RECEIPT BY THE PANEL.


XI. THE PANEL MAY REQUIRE A LOBBYIST TO SUBMIT OTHER REPORTS AS THE PANEL DETERMINES TO BE NECESSARY.

XII. PUBLIC RECORD

A. THE PANEL OR OFFICE DESIGNATED BY THE BOARD SHALL MAINTAIN ALL REGISTRATIONS AND REPORTS FILED UNDER THIS POLICY FOR FOUR YEARS FROM THE DATE OF RECEIPT BY THE PANEL. THE PANEL OR OFFICE DESIGNATED BY THE BOARD SHALL MAINTAIN ALL FINANCIAL DISCLOSURE STATEMENTS FILED UNDER THIS POLICY.

B. THE PANEL SHALL MAKE LOBBYING REGISTRATIONS AND REPORTS AVAILABLE DURING NORMAL OFFICE HOURS, FOR EXAMINATION AND COPYING BY THE PUBLIC SUBJECT TO REASONABLE FEES AND ADMINISTRATIVE PROCEDURES ESTABLISHED BY THE SCHOOL SYSTEM. (SEE, SUPERINTENDENT’S RULE 2373, PUBLIC INFORMATION ACT REQUESTS: SCHEDULE OF FEES).
XIII. THE PANEL SHALL REVIEW THE REGISTRATIONS AND REPORTS FILED UNDER THIS POLICY FOR COMPLIANCE WITH THIS POLICY AND SHALL NOTIFY PERSONS ENGAGING IN LOBBYING ACTIVITIES OF ANY OMISSIONS OR DEFICIENCIES. THE PANEL OR BOARD MAY TAKE APPROPRIATE ENFORCEMENT ACTION TO ENSURE COMPLIANCE WITH THIS POLICY.

XIV. ANNUAL REPORT

A. THE PANEL SHALL COMPUTE AND MAKE AVAILABLE A SUBTOTAL UNDER EACH OF THE REQUIRED CATEGORIES IN SUBPARAGRAPH VIII.D. OF THIS POLICY.

B. THE PANEL SHALL COMPUTE AND MAKE AVAILABLE THE TOTAL AMOUNT REPORTED BY ALL LOBBYISTS FOR THEIR LOBBYING ACTIVITIES DURING THE REPORTING PERIOD.

[Any person who personally appears before any Board member or employee with the intent to influence that person in performance of his or her official duties, and who, in connection with such intent expends or reasonably expects to expend in a given calendar year a cumulative value in excess of $25 on food, entertainment, or other gifts, shall file a registration statement with the Ethics Review Panel no later than January 15 of the calendar year or within five (5) days after first making such appearances.

The registration statement shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant proposes to make such appearances and shall cover a defined registration period not to exceed one calendar year.

Registrants under this section shall file a report within 30 days after the end of any calendar year during which they were registered, disclosing the value, date, and nature of any food, entertainment, or other gift provided to a Board member or employee. Where a gift or series of gifts are made to a Board member or employee exceeding a $25 market value, the Board member or employee shall also be identified.

The registrations and reports filed pursuant to this policy shall be maintained by the Ethics Review Panel as public records available for public inspection and copying.]
Legal References:

ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT
ARTICLE §15-101, LEGISLATIVE FINDINGS; POLICY;
LIBERAL CONSTRUCTION
ANNOTATED CODE OF MARYLAND, STATE GOVERNMENT
ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF
EDUCATION
COMAR 19A.05, BOARD OF EDUCATION REGULATIONS

Related RULE [Policies]: Superintendent’s Rule 2373, Public Information Act
REQUESTS: Schedule of Fees

Policy

Board of Education of Baltimore County

Adopted: 10/08/96
Revised: 08/12/97
Revised: 03/11/08
Approved by SEC: 04/22/09
REVISED: __________
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8366 – ETHICS REVIEW PANEL

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

RESOURCE PERSON(S): Patricia Clark, Policy and Compliance Officer
Andrew W. Nussbaum, Esquire, Counsel to the Board of Education

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8366. This is the third reading.

* * * * *

Attachment I – Policy Analysis
Attachment II – Policy 8366
Statement of Issues or Questions Addressed

In 2010, the General Assembly enacted legislation designed to subject members of county boards of education to conflict of interest standards and financial disclosure requirements that are at least equivalent to the State’s requirements for State officials and public officials. The State Ethics Commission issued revised Board of Education Ethics regulations that became effective on April 18, 2011. All county boards of education are required to bring their ethics codes into compliance with the new law and to provide notice to the State Ethics Commission of their progress towards enactment by October 1, 2011.

All policies were edited to conform with the State Ethics Commission’s MODEL BOARD OF EDUCATION ETHICS REGULATIONS and the Policy Review Committee’s editing conventions.

Some of the required changes include: additional reporting requirements for board members and board employees; more stringent lobbying guidelines; defining financial interests; clarifying post-Board service employment restrictions.

The Policy Review Committee is submitting the Ethics Code policies to the full Board for its consideration and action.

Cost Analysis and Fiscal Impact on School System

Because of the comprehensive nature of these revisions, the staff anticipates that education and training of employees, volunteers and consultants will be necessary to ensure compliance.

Relationship to Other Board of Education Policies

These policies form the basis of the Board’s expectations for employee ethical behavior and conduct.

Legal Requirements

1. Annotated Code of Maryland, State Government Article §15-101, Legislative Findings; Policy; Liberal Construction
3. COMAR 19A.05, Board of Education Regulations
Similar Policies Adopted by Other Local School Systems
1. **CALVERT COUNTY BOARD OF EDUCATION**
   Policy Number 1740, *Ethics*
   Policy Number 1740.1, *Definitions*
   Policy Number 1740.2, *Ethics Panel*
   Policy Number 1740.3, *Conflict of Interest and Outside Employment*
   Policy Number 1740.4, *Gifts*
   Policy Number 1740.5, *Lobbying Disclosure*
   [http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp](http://www.calvertnet.k12.md.us/departments/administration/policies/policies.asp)

2. **CARROLL COUNTY BOARD OF EDUCATION**
   Policy Number BC, *Ethics*
   [http://www.boarddocs.com/mabe/ccps/Board.nsf/Public](http://www.boarddocs.com/mabe/ccps/Board.nsf/Public)

3. **FREDERICK COUNTY BOARD OF EDUCATION**
   Policy Number 109, *Ethics*
   Policy Number 109.1, *Definitions*
   Policy Number 109.3, *Prohibited Conduct and Interest*
   Policy Number 109.4, *Financial Disclosure*
   Policy Number 109.5, *Lobbying Disclosure*

4. **HOWARD COUNTY BOARD OF EDUCATION**
   Policy Number 2070, *Ethics*
   [http://www.hcpss.org/board/policies/](http://www.hcpss.org/board/policies/)

5. **MONTGOMERY COUNTY BOARD OF EDUCATION**
   Policy Number BBB, *Ethics*

6. **PRINCE GEORGE’S COUNTY BOARD OF EDUCATION**
   Board Policy 0107, *Ethics*
   Board Policy 0107.1, *Ethics - Definitions*
   Board Policy 0108, *Ethics Panel*
   Board Policy 0109, *Conflict of Interest*
   Board Policy 0111, *Board Financial Disclosure*
   Board Policy 0112, *Lobbying Disclosure*
   [http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx](http://www1.pgcps.org/generalcounsel/boardpolicies/bp0000.aspx)

7. **WASHINGTON COUNTY BOARD OF EDUCATION**
   Policy Number BBF-E, *Code of Ethics for School Board Members*
   Policy BDF-E, *Ethics Advisory Panel*
   [http://www.boarddocs.com/mabe/wcps/Board.ns](http://www.boarddocs.com/mabe/wcps/Board.ns)

**Draft of Proposed Policy**
Attached
Other Alternatives Considered by Staff
No other alternatives were considered.

Timeline
First reading – October 25, 2011
Public comment – November 8, 2011
Third reading/vote – December 6, 2011

*The Ethics Code must be approved by the State Ethics Commission prior to adoption by the Board.
INTERNAL BOARD OPERATIONS: ETHICS CODE [:]

Ethics Review Panel

I. POLICY STATEMENT [Panel Members]

[A.] THERE IS AN [A.. The] Ethics Review Panel (PANEL) of the Baltimore County Public Schools (BCPS) THAT CONSISTS [will consist] of five members appointed by the Board of Education of Baltimore County (Board).

II. PANEL MEMBERS

A. At least one member OF THE PANEL must be an attorney duly licensed to practice law in the State of Maryland and who is in good standing with the State Court of Appeals.

B. All members are eligible to serve two five-year terms and continue to serve until their successors are appointed and qualify.
   1. Terms will be staggered to ENSURE [assure] continuity and political independence. [The initial terms of appointees will be staggered by the Board to provide that each year one of the members' terms is concluded.]
   2. A PANEL MEMBER MAY SERVE UNTIL A SUCESSOR IS APPOINTED BY THE BOARD.

C. A member of the Panel will be replaced in the event of:
   1. Death;
   2. Resignation;
   3. Just cause, which may include failure to attend, without good cause, more than fifty percent of the panel’s scheduled meetings in one calendar year or three consecutive absences subject to the discretion of the Panel;
   4. The Board shall appoint qualified persons to complete any unexpired terms. ANY [The] appointee TO AN UNEXPIRED TERM shall be eligible to be reappointed for two additional terms.
III. [II.] Qualifications of Panel Members

A. Every person who resides in Baltimore County and is at least eighteen years of age is eligible to serve on the Ethics Review Panel if that person:
   1. Is a U.S. citizen;
   2. Does not hold any elected or appointed office; is not a candidate for an office of the United States, the State, any political subdivision, or incorporated municipality of the State, or in any political party;
   3. Is not an incumbent member of the Board, a school official or employee, or employed by a business entity subject to the authority of the Board; AND
   4. Is not a registered lobbyist for any organization in the State that may create a conflict of interest.

B. Panel members may not participate in the decisions or discussion of any matter involving his/her immediate family or as restricted in participation by Policy 8363.

IV. [III.] Role of the Ethics Review Panel

A. The Ethics Review Panel shall:
   1. Serve as an advisory body to the Board; [.]
   2. CREATE, RECEIVE, AND MAINTAIN ALL FORMS REQUIRED BY THE ETHICS CODE;
   3. [B. The Ethics Review Panel shall be responsible for interpreting] INTERPRET THE [this] Ethics Code and PROVIDE ADVISORY OPINIONS TO [advising] persons subject TO THE ETHICS CODE [to these policies; as to their applications.]
   4. [C. The Ethics Review Panel shall be responsible for accepting, hearing, or initiating any] PROCESS AND MAKE DETERMINATIONS REGARDING complaints ALLEGING VIOLATIONS OF THE ETHICS CODE [as deemed necessary in accordance with these policies.];
   5. REFER FINDINGS REGARDING COMPLAINTS AND OTHER ENFORCEMENT MATTERS TO THE BOARD FOR ACTION; [The Ethics Review Panel shall Provide hearings in accordance with the Board's currently adopted Policy 8339 (Appeal Before Hearing Examiner)];
[D. The Ethics Review Panel will provide the opportunity for a hearing on any complaint deemed viable, after a review, regarding an alleged violation of these Ethics policies.]

6. [E. The Ethics Review Panel shall] Issue a written report TO THE BOARD on each case heard BY THE PANEL [to the Board.]; AND

7. ESTABLISH A PUBLIC INFORMATION AND EDUCATION PROGRAM REGARDING THE PURPOSE AND IMPLEMENTATION OF THE ETHICS CODE.

B. CONFIDENTIALITY

From the time a complaint is filed WITH THE PANEL until there is a final determination by the Board, all actions and information shall be treated as confidential, in accordance with the laws of the State of Maryland.

V. EXCEPTIONS AND MODIFICATIONS

A. [G.] The [Ethics Review] Panel OR THE BOARD, AS APPROPRIATE, MAY [shall] recommend exceptions or modifications to the provisions of these Ethics policies if it is determined that there would be an unreasonable invasion of privacy, [that] there would be a significant reduction of the availability of qualified individuals for public service, OR [and if] it is deemed not necessary to preserve the purposes of these Ethics policies. EXCEPT THAT NEITHER THE PANEL NOR THE BOARD MAY GRANT EXCEPTIONS OR MODIFICATIONS TO THE CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE PROVISIONS FOR BOARD MEMBERS.

B. Recommendations for exceptions are not approved or rejected until the Board acts.

VI. [IV.] Administration of the Panel

A. The [Ethics Review] Panel will develop rules and procedures in consultation with THE BOARD’S ATTORNEY [the Office of Law of the Board].

1. THE BOARD’S ATTORNEY SHALL ASSIST THE PANEL IN CARRYING OUT ITS DUTIES.

2. IF A CONFLICT OF INTEREST PREVENTS THE BOARD’S ATTORNEY FROM ASSISTING THE PANEL IN A SPECIFIC MATTER, THE PANEL SHALL IDENTIFY OTHER COUNSEL TO ASSIST THE PANEL IN THE MATTER.
B. THE PANEL SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS. [The Chair of the Ethics Review Panel will be selected by members of the Panel.]
   1. The term of the Chair will be one year.
   2. THE CHAIR MAY BE REELECTED.

C. The [Ethics Review] Panel will meet, AT A MINIMUM, [regularly] on a quarterly basis and will submit minutes to the Board. However, any Member of the Panel may call a meeting of all members should an unexpected circumstance arise.

D. An affirmative vote of at least three members of the Panel is required for any and all action of the [Ethics Review] Panel.

E. Members of the [Ethics Review] Panel will receive no compensation for their services. They will, however, be reimbursed for reasonable and necessary expenses incurred in the discharge of their official duties.

F. The [Ethics Review] Panel will administer the provisions of this Ethics Code.

   1. The Superintendent shall ensure that SUFFICIENT FUNDS ARE PROVIDED FOR [the Office of Law has the needed budgetary support to provide] legal, technical, and clerical staff support for the [Ethics Review] Panel.
   2. As an advisory body to the Board, the [Ethics Review] Panel may be assisted in carrying out its responsibilities by the Board's attorney and/or internal auditor.

H. The members of the [Ethics Review] Panel shall be insulated by the defense of sovereign immunity as provided by the laws of the State of Maryland.
   1. The Board shall provide, in accordance with Maryland law, inclusion for the [Ethics Review] Panel and each of its members comprehensive liability insurance coverage (either through the Board's policy or otherwise) from any personal or joint civil liability action arising out of and in the course of the performance of their duties.
VII. [V.] Advisory Opinions

A. Any Board member, SCHOOL SYSTEM OFFICIAL, employee, CONSULTANT, volunteer, or other person subject to the provisions of the policies of the Ethics Code may request that the [Ethics Review] Panel issue an advisory opinion concerning the applications of these policies.

B. The Panel will respond promptly to such requests, providing interpretations of the policies contained in the Code, based on the facts provided or reasonably available to it.
   1. **THE PANEL WILL MAKE EVERY ATTEMPT TO ISSUE AN ADVISORY OPINION WITHIN SIXTY (60) DAYS OF THE RECEIPT OF THE REQUEST.**
   2. Copies of THE PANEL’S ADVISORY OPINIONS [these interpretations], with the identity of the subject(S) deleted, will be made available to the Board, the Superintendent, and the public in accordance with applicable State law regarding public records.

VIII. [VI.] Complaints

A. Any person may file with the [Ethics Review] Panel a complaint alleging a violation of any of the provisions of the Ethics Code.
   1. All complaints must be submitted in writing, UNDER OATH, AND must contain a signature(s) of the individual(s) with knowledge of the complaint.
      a. **THE PANEL MAY REFER A COMPLAINT [, and may be referred] to the Board's attorney OR OTHER LEGAL COUNSEL, IF APPROPRIATE, FOR INVESTIGATION AND REVIEW [to obtain the necessary investigative services].**
   2. If, [--after the Ethics Panel review of any investigation that may have taken place--] the Panel determines that there are insufficient facts upon which to base a determination of violation, the Ethics Review Panel shall **RECOMMEND TO THE BOARD THAT [dismiss] the complaint BE DISMISSED.**
   3. If there is reasonable basis for believing a violation has occurred, the individual who is the subject of the complaint will **BE GIVEN AN OPPORTUNITY [get a chance] for a hearing conducted BY THE PANEL, in accordance with the Board's hearing procedures [(Board Policy 8339)] for actions on the record.** *(SEE, BOARD POLICY 8340, APPEAL BEFORE THE BOARD OF EDUCATION, AND*
BOARD POLICY 8341, APPEAL BEFORE A HEARING EXAMINER


B. [4.] Hearings

1. [a. For purposes of the Ethics Review Panel hearings, the] THE Panel will act as the hearing examiner and conduct the opportunity hearing. [After a complaint is filed and until there is a final determination by the Board, all actions regarding a complaint will be treated confidentially, in accordance with the laws of the State of Maryland.] 

2. [For purposes of the hearing, a member of the Ethics Review] THE Panel’S CHAIR will [act as hearing chairperson to] conduct the hearing and provide for its efficient administration. [The Ethics Review Panel will be advised by an attorney from the Office of Law or such other counsel that may be engaged at the Board’s expense for such purpose regarding the rule on motions, objections, and issues of law.] 

3. [b.] All evidence will be presented on the record, and a written transcript of the hearing will be produced.

4. [c.] All testimony will be taken under oath, and all parties will be provided with the right to cross-examine witnesses.

5. [d.] The [Ethics Review] Panel will produce a written report to the Board in every case.

    a. The report will state, where appropriate, [dismissal of the complaint,] that a determination was reached, that a violation of the Ethics Code had occurred, or that evidence was inconclusive [,] and the Panel was unable to reach a final determination.
6. [e.] Any final determination resulting from the hearing will include written findings of fact, a statement of alleged violation, a conclusion of law, and recommendations, which may include: DISMISSAL OF THE COMPLAINT OR recommendations for corrective action, disciplinary or other appropriate personnel action, UP TO AND INCLUDING [or] termination.

7. [f.] The [Ethics Review] Panel will have the right to demand the appearance of any SCHOOL SYSTEM OFFICIAL, employee, CONSULTANT, OR VOLUNTEER of the Board at any meeting or hearing.

8. The Panel will have the right to inspect and/or have copies produced of any relevant document, paper, electronic media, or other tangible object in the possession of the BCPS and/or the Board.

9. [g.] THE FORMAL RULES OF EVIDENCE AND PROCEDURE DO NOT APPLY TO PROCEEDINGS BEFORE THE PANEL. NEITHER THE BOARD NOR THE PANEL HAS THE AUTHORITY TO SUBPOENA DOCUMENTS OR WITNESSES [The Ethics Review Panel does not have the right to issue subpoenas].

C. FINAL ACTION

1. THE PANEL SHALL ISSUE ITS RECOMMENDATION TO THE PARTIES AND THE BOARD WITHIN SIXTY (60) DAYS OF THE CLOSE OF THE HEARING.

2. IF THE BOARD CONCURS WITH THE FINDINGS OF A VIOLATION AND RECOMMENDATIONS OF THE PANEL, THE BOARD MAY TAKE ENFORCEMENT ACTION AS PROVIDED IN THE ETHICS CODE.

3. THE BOARD MAY DISMISS A COMPLAINT ON THE RECOMMENDATION OF THE PANEL OR IF THE BOARD DISAGREES WITH A FINDING OF VIOLATION BY THE PANEL.

a. CONCURRENCE BY THE BOARD WITH A FINDING OF VIOLATION BY THE PANEL IS PUBLIC INFORMATION.
IX. [VII.] Rules of Procedure

A. The provisions of Board Policy 8341, *APPEAL BEFORE A HEARING EXAMINER*, [8339] will be followed, except that the Panel will act as hearing examiner.

B. A majority vote of the Panel consists of three or more votes.

C. A quorum consists of three members present.

D. The [Ethics Review] Panel will adopt rules for the transaction of its business.

E. The [Ethics Review] Panel will keep a file of the minutes of its proceedings.

F. All official actions and decisions of the [Ethics Review] Panel will be in writing.

[VIII. Sanctions

A. Violations of the Ethics Code by any Board member, employee, or volunteer will constitute grounds for discipline or personnel action, or termination where provided by law, consistent with procedures set forth in the Education Article of the *Annotated Code of Maryland* and the policy manual of the Board.

B. Persons or organizations found in violation of the lobbying provisions of the Ethics Code shall be publicly identified and subject to other penalties as provided by law.]

Legal References: *Annotated Code of Maryland*, State Government Article [, §] §15-101, LEGISLATIVE FINDINGS; POLICY; LIBERAL CONSTRUCTION

*ANNOTATED CODE OF MARYLAND*, STATE GOVERNMENT ARTICLE §§15-811 to 15-815, LOCAL BOARDS OF EDUCATION

*COMAR 19A.05, BOARD OF EDUCATION REGULATIONS*
Related Policies: BOARD OF EDUCATION POLICY 8340, APPEAL BEFORE THE BOARD OF EDUCATION
Board of Education Policy 8341 [8339], APPEAL [Hearing] Before A Hearing Examiner

Policy
Board of Education of Baltimore County

Adopted: 10/08/96
Revised: 08/12/97
Revised: 10/07/08
Approved by SEC: 04/22/09
Revised: 03/09/10
Approved by SEC: 04/26/10
REVISED: __________
Baltimore County Public Schools  
Towson, Maryland 21204

December 6, 2011

RETIREMENTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>School/Office</th>
<th>Yrs. of Service</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doris Clark</td>
<td>Bus Attendant</td>
<td>Transportation</td>
<td>23.9</td>
<td>12/01/11</td>
</tr>
<tr>
<td>Bonnie Dyer</td>
<td>Fiscal Assistant I</td>
<td>Franklin High</td>
<td>29.2</td>
<td>11/01/11</td>
</tr>
<tr>
<td>Dr. Joe Hairston</td>
<td>Superintendent</td>
<td>Greenwood Adm Bldg</td>
<td>38.0</td>
<td>07/01/12</td>
</tr>
<tr>
<td>Robert Mryncza</td>
<td>Science Teacher</td>
<td>Kenwood High</td>
<td>14.4</td>
<td>01/01/12</td>
</tr>
<tr>
<td>Frank Philpot</td>
<td>Paraeducator</td>
<td>Dundalk High</td>
<td>7.2</td>
<td>11/01/11</td>
</tr>
<tr>
<td>Anne Rupprecht</td>
<td>Special Ed Teacher</td>
<td>Lutherville Lab Tech</td>
<td>35.4</td>
<td>01/01/12</td>
</tr>
<tr>
<td>Victoria Uzarowski</td>
<td>ESOL Teacher</td>
<td>Campfield Early Child Center</td>
<td>13.2</td>
<td>11/01/11</td>
</tr>
<tr>
<td>Barbara Walker</td>
<td>Assistant Superintendent</td>
<td>Assistant Superintendent</td>
<td>25.4</td>
<td>01/01/12</td>
</tr>
</tbody>
</table>
BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

December 6, 2011

RESIGNATIONS

ELEMENTARY – 2

Hawthorne Elementary School
Christy A. Wooden, 11/11/11, 1.0 yr., 3.0 mos.
Special Education – Inclusion

Middlesex Elementary School
Janet A. Self, 11/04/11, 2.0 mos.
Grade 2

SECONDARY – 2

Dulaney High School
Laura D. Warren, 11/04/11, 1.0 yr., 2.0 mos.
Latin

Old Court Middle School
Aimee K. Goldman, 10/21/11, 4.0 yrs., 2.0 mos.
Mathematics
Exhibit V

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

December 6, 2011

LEAVES

CHILD REARING LEAVE

BRIANNA BILLINGTON – (English) – Perry Hall High School
Effective December 23, 2011 through December 23, 2013

ALLISON B. GOLDBLOOM – (Elementary) – Timber Grove Elementary School
Effective February 2, 2012 through February 2, 2014

EMILY A. LAWLESS – (Elementary) – Franklin Elementary School
Effective February 20, 2012 through February 20, 2014

KATHRYN R. MILLS – (Elementary) – Logan Elementary School
Effective January 12, 2012 through January 12, 2014

PERSONAL ILLNESS LEAVE

MICHELE J. KNELL – (Elementary) – Woodholme Elementary School
Effective November 1, 2011 through November 1, 2012

ANGELA M. MILLS – (Food & Nutrition Services) – Dundalk High School
Effective November 1, 2011 through November 1, 2012

UNUSUAL AND IMPERATIVE LEAVE

WANDA S. BERLIN – (Building Service Worker) – Cockeysville Middle School
Effective January 2, 2012 through January 2, 2013

DANIELLE M. DEPALO – (Business Education) – Sudbrook Magnet Middle School
Effective November 7, 2011 through November 7, 2012

DALILA MORENO – (Office Professional) – Hawthorne Elementary School
Effective November 21, 2011 through November 21, 2012

DIANA S. NEET – (Paraeducator) – Arbutus Middle School
Effective January 3, 2012 through May 4, 2012

KIM C. YENCO – (Counselor) – Hawthorne Elementary School
Effective November 1, 2011 through November 1, 2012
The Board gratefully acknowledges the service of the employees listed below:

Jonathan L. Bruce  
Special Education – Self-Contained Teacher  
Dulaney High School  
November 21, 2011

Jay A. Damon  
Science Teacher  
Rosedale Center  
November 6, 2011

Robert A. White  
Grade 5 Teacher  
Winand Elementary School  
October 27, 2011
<table>
<thead>
<tr>
<th>NAME</th>
<th>SCHOOL LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samantha Gargano</td>
<td>Edgemere Elementary</td>
</tr>
<tr>
<td>Nicole Hurn</td>
<td>Fullerton Elementary</td>
</tr>
<tr>
<td>Mary Lucas</td>
<td>Hereford Middle</td>
</tr>
<tr>
<td>Teresa Ricigliano</td>
<td>Mars Estates Elementary</td>
</tr>
<tr>
<td>Catherine Lepley</td>
<td>New Town Elementary</td>
</tr>
<tr>
<td>Jenny Roberts</td>
<td>Randallstown Elementary</td>
</tr>
<tr>
<td>Sandra Marcin</td>
<td>Summit Park Elementary</td>
</tr>
</tbody>
</table>
DATE: December 6, 2011

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

RE: RECOMMENDATIONS FOR AWARD OF CONTRACTS

ORIGINATOR: Dr. Joe A. Hairston, 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 – December 6, 2011

1. Contract Modification: Snacks  
   Contract #: MBU-527-11

Term: N/A  Extension: N/A  Contract Ending Date: 6/30/14  
Estimated total contract authority: $300,000  
Estimated modification amount: $3,300,000  
New estimated total contract authority: $3,600,000

Board meeting date: December 6, 2011

Description:

On June 14, 2011, the Board approved this contract for snack products that meet or exceed the Healthier U.S. School Challenge (HUSSC) nutritional standards for use in schools as directed by the Office of Food and Nutrition Services. This modification corrects the projected spending for the three years of the contract based on the current spending levels.

The HUSSC is a voluntary school nutrition and wellness initiative established by the United States Department of Agriculture’s Food and Nutrition Service for schools participating in the National School Lunch Program. The HUSSC recommends a 200-calorie limit be placed upon pre-packaged foods sold a la carte to control portion size and calories. Examples include: pretzels, goldfish crackers, and flavored water drinks.

Recommendation:

Award of contract modification is recommended to:

Royalle Dining Services  
Linden Cookies, Inc.

Owings, MD  
Congers, NY

Responsible school or office: Department of Planning and Support Operations

Contact person: Kara Calder

Funding source: Operating budget
2. **Contract Modification:** Web-based School Lunch and Activities Payment Service  
   **Contract #:** MBU-504-11  
   **Term:** N/A  
   **Extension:** N/A  
   **Contract Ending Date:** 8/31/21  
   **Board meeting date:** December 6, 2011  

**Description:**

On August 9, 2011, the Board approved award to School-Link Technologies for the provision of a Web-based payment system allowing parents and guardians to pay for school lunch, activity fees, and alternative education as a result of a competitive procurement.

Effective October 1, 2011, Heartland Payment Systems, Inc., acquired School-Link Technologies. This contract modification consists of Assignment and Assumption and Consent to Assignment to Heartland Payment Systems from School-Link Technologies. Heartland Payment Systems, Inc., has agreed to honor the current contract terms and conditions.

**Recommendation:**

Award of contract modification is recommended to:

   Heartland Payment Systems, Inc.  
   Tempe, AZ

**Responsible school or office:** Department of Planning and Support Operations

**Contact person:** Kara Calder

**Funding source:** Operating budget
3. **Contract:** Certification Dues for Speech Language Pathologists and Audiologists  
   **Contract #:** MWE-815-12

   **Term:** 5 years  
   **Extension:** N/A  
   **Contract Ending Date:** 12/31/16  
   **Estimated contract authority:** $275,000

   **Board meeting date:** December 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 the American Speech-Language-Hearing Association (ASHA) Certificate of Clinical Competence (CCC) for speech language pathologists and audiologists employed by BCPS. The certificate demonstrates that speech language pathologists and audiologists meet the national professional standards set by ASHA. Possession of the CCC enhances credentials for these highly qualified individuals for BCPS.

The federal government requires that related service providers be licensed in their area of expertise through the Maryland Board of Examiners for Audiologists, Hearing Aid Dealers, and Speech Language Pathologists. The Maryland Board of Examiners requires the ASHA/CCC as a critical component of its licensing criteria. If a therapist does not hold the proper credentials, Baltimore County Public Schools (BCPS) could be required to return the reimbursable funds per non-licensed therapist. Speech language pathologists and audiologists who meet the professional standards set forth by ASHA/CCC will continue to avail themselves of the latest evidence-based techniques and strategies to meet the students’ needs. Reimbursement for the ASHA /CCC is a valuable retention and recruitment tool for helping to ensure that BCPS maintains a full staff and is able to generate a pool of qualified candidates to fill vacancies.

**Recommendation:**

Award of contract is recommended to:

**American Speech-Language-Hearing Association**  
Baltimore, MD

**Responsible school or office:** Department of Special Programs

**Contact person:** Kathleen McMahon

**Funding source:** Third Party Billing
4. **Contract:** Door Hardware  
   **Contract #:** PCR-234-12

**Term:** 5 years  
**Extension:** N/A  
**Contract Ending Date:** 12/31/16

**Estimated contract authority:** $750,000

**Board meeting date:** December 6, 2011  
**Bid issued:** October 13, 2011  
**Pre-bid meeting date:** October 27, 2011  
**Due date:** November 9, 2011

**No. of vendors issued to:** 20  
**No. of bids received:** 3  
**No. of no-bids received:** 0

**Description:**

This contract consists of providing door hardware; e.g., hinges, locksets, exit devices for schools/offices. Awards are recommended on a percentage discount from manufacturers’ list prices.

**Recommendation:**

Award of contract is recommended to:

- Accredited Lock Supply Company  
  Secausus, NJ
- Independent Hardware, Inc.  
  Philadelphia, PA

**Responsible school or office:** Department of Physical Facilities

**Contact person:** Michael G. Sines

**Funding source:** Operating budget
5. **Contract:** Floor Care Machines and Associated Equipment

**Contract #:** MBU-501-12

**Term:** 5 years  
**Extension:** N/A  
**Contract Ending Date:** 12/31/16  
**Estimated contract authority:** $750,000

**Board meeting date:** December 6, 2011  
**Bid issued:** September 15, 2011  
**Pre-bid meeting date:** September 30, 2011  
**Due date:** October 13, 2011  
**No. of vendors issued to:** 110  
**No. of bids received:** 13  
**No. of no-bids received:** 3

**Description:**

This contract consists of providing floor care machines and associated equipment. The machines and equipment will replace models that are no longer supported and are in a state of disrepair.

**Recommendation:**

Award of contract is recommended to:

- Acme Paper & Supply Company, Inc.  
  Savage, MD
- Al’s Floorcare, Inc., dba Aerus Electrolux  
  Baltimore, MD
- Buckeye Cleaning Center  
  Baltimore, MD
- City Group, Inc.  
  Jessup, MD
- Daycon Products Company, Inc.  
  Upper Marlboro, MD
- FPC Distribution  
  Elkridge, MD
- Karcher North America, Inc.  
  Englewood, CO
- Leonard Paper Company  
  Baltimore, MD
- National Supply Company  
  Beltsville, MD
- Quaker City Paper  
  York, PA
- S. Freedman & Sons, Inc.  
  Landover, MD
- Superior Supply, Ltd  
  Baltimore, MD
- Viking Chemicals, Inc.  
  Baltimore, MD

**Responsible school or office:** Department of Physical Facilities

**Contact person:** Michael G. Sines

**Funding source:** Operating budget
6. **Contract:** Paint - Interior and Exterior  
   **Contract #:** PCR-235-12  
   
   **Term:** 5 years  
   **Extension:** N/A  
   **Contract Ending Date:** 12/31/16  
   **Estimated contract authority:** $500,000  
   
   **Board meeting date:** December 6, 2011  
   **Bid issued:** October 13, 2011  
   **Pre-bid meeting date:** October 27, 2011  
   **Due date:** November 9, 2011  
   **No. of vendors issued to:** 27  
   **No. of bids received:** 3  
   **No. of no-bids received:** 0  
   
   **Description:**  
   This contract consists of providing specific paints for maintenance of schools/offices. Awards are recommended on a percentage discount from manufacturers’ list prices.  
   
   **Recommendation:**  
   Award of contract is recommended to:  
   
   - Budeke’s Paints, Inc. - Timonium, MD  
   - McCormick Paints, Inc. - Rockville, MD  
   - Sherwin-Williams - Baltimore, MD  
   
   **Responsible school or office:** Department of Physical Facilities  
   **Contact person:** Michael G. Sines  
   **Funding source:** Operating budget
7. **Contract:** Stone, Mulch, Topsoil, and Associated Materials  
**Contract #:** JMI-603-12

**Term:** 5 years  
**Extension:** N/A  
**Contract Ending Date:** 12/31/16  
**Estimated contract authority:** $500,000

**Board meeting date:** December 6, 2011  
**Bid issued:** September 22, 2011  
**Pre-bid meeting date:** N/A  
**Due date:** October 14, 2011  
**No. of vendors issued to:** 16  
**No. of bids received:** 6  
**No. of no-bids received:** 0

**Description:**

This contract consists of providing various stone, mulch, and topsoil material. Awards are based on the most favorable price for each item.

**Recommendation:**

Award of contract is recommended to:

- Egypt Farms, Inc.  
- Hollins Organic Products, Inc.  
- Lafarge Mid-Atlantic, Inc.  
- Patuxent Materials, Inc.  
- River Valley Organics  
- Zeager Brothers, Inc.  

- White Marsh, MD  
- Baltimore, MD  
- Towson, MD  
- Crofton, MD  
- Wrightsville, PA  
- Middletown, PA

**Responsible school or office:**  
Department of Physical Facilities

**Contact person:**  
Michael J. Sines

**Funding source:**  
Operating budget
8. Contract: Textbook - Calculus  
Contract #: RGA-111-12  

Term: 1 year  Extension: N/A  Contract Ending Date: 12/30/12  
Estimated contract authority: $214,000  

Board meeting date: December 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 student textbooks and teacher materials to replace and update the current instructional materials for the calculus courses. The previous textbooks that were used with the current calculus curricula guides are no longer published. The calculus curriculum is in the process of being updated, revised, and piloted for use with the Calculus: Early Transcendentals and eBook 6 Use Access Card, Second Edition (Rogawski, 2012). 

The textbook has been selected through the textbook evaluation and field test process for students in honors calculus, advanced placement calculus I/II AB, and advanced placement calculus III BC beginning with the 2012-2013 school year. The textbook provides the best match to the curriculum and the College Board advanced placement calculus AB and BC expectations. The professional development and supplemental materials included in the teacher ancillary package will benefit new and veteran teachers as they plan for instruction. Multiple teaching methods are suggested throughout the text and ancillary materials, and the content and approaches are differentiated to meet varying student needs. 

This item was selected using the process outlined in Board Policy and Superintendent’s Rule 6002 and under section §7-106, Paragraph (a) of the Education Article of the Annotated Code of Maryland. BCPS purchases the above materials upon the recommendation of the county superintendent and the adopted procedures of the county board. Instructional materials are recommended after being carefully evaluated and selected by a curriculum and instruction committee for use in the subject area; the selected materials support the curriculum and meet the diverse needs of students. Under Superintendent’s Rule 6002, instructional materials may be consumable and expendable and include, but are not limited to, such items as charts, kits, textbooks, magazines, newspapers, pictures, recordings, slides, transparencies, videos, video discs, workbooks, and electronic resources such as software, CD-ROMs, and online services.
Recommendation:

Award of contract is recommended to:

Bedford, Freeman & Worth Publishing Group  
Gordonsville, VA

Responsible school or office:  
Department of Science, Technology, Electronics, and Math

Contact person:  
Dr. John Quinn

Funding source:  
Operating budget
9. **Contract:** Textbooks – Gifted and Talented Chemistry Curriculum with Support Materials

**Contract #:** RGA-153-12

**Term:** 1 year  
**Extension:** N/A  
**Contract Ending Date:** 12/30/12  
**Estimated contract authority:** $143,062

**Board meeting date:** December 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 student textbooks and teacher materials to replace and update the current instructional materials for the gifted and talented chemistry course. The previous textbooks that were used with the gifted and talented chemistry curriculum are no longer published. This curriculum has been updated and revised for use with the 4th edition of *Introductory Chemistry* by Tro. The textbook was selected for students beginning with the 2012-2013 school year.

This textbook provides the best match to the curriculum and the Maryland State Department of Education high school core learning goals for chemistry (Goal 4.0). The program provides a flexible sequence of topics that can be rearranged into a personalized curriculum that matches the sequence preferred by the BCPS system. The professional development and supplemental materials included in the teacher ancillary package will benefit new and veteran teachers as they plan for instruction. Multiple teaching strategies are suggested throughout the text and ancillary materials, and the content and approaches to instruction are differentiated.

This item was selected using the process outlined in Board Policy and Superintendent’s Rule 6002 and under section §7-106, Paragraph (a) of the Education Article of the Annotated Code of Maryland. BCPS purchases the above materials upon the recommendation of the county superintendent and the adopted procedures of the county board. Instructional materials are recommended after being carefully evaluated and selected by a curriculum and instruction committee for use in the subject area; the selected materials support the curriculum and meet the diverse needs of students. Under Superintendent’s Rule 6002, instructional materials may be consumable and expendable and include, but are not limited to, such items as charts, kits, textbooks, magazines, newspapers, pictures, recordings, slides, transparencies, videos, video discs, workbooks, and electronic resources such as software, CD-ROMs, and online services.
**Recommendation:**

Award of contract is recommended to:

Pearson Prentice Hall                            Lebanon, IN

**Responsible school or office:**

Department of Science, Technology, Engineering, and Mathematics

**Contact person:**

Dr. John Quinn

**Funding source:**

Operating budget
10. **Contract**: The Strategic Data Project Fellows  
**Contract #:** RGA-116-12

**Term:** 2 years  
**Extension:** N/A  
**Contract Ending Date:** 12/31/13  
**Estimated contract authority:** $127,277

**Board meeting date:** December 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 the preparation for conducting research projects of strategic importance to both BCPS and Harvard College that will conform to the highest academic standards. This is a two-year partnership allowing BCPS data analysts to join a cohort of analysts from other states, districts, and charter management organizations across the nation.

The emphasis of the Strategic Data Project is to develop talented analytical leaders in school districts, charter management organizations, and state education agencies where they can have an immediate impact on policy decisions that affect student outcomes. The data analysts are highly skilled in the area of quantitative analysis, with an entrepreneurial passion for using data to drive decision making. BCPS staff from the Department of Research, Accountability, and Assessment will be exposed to the best and most current research in education reform and will support their analytic skill building in very specific ways. They will be linked to a growing network of talented analysts who are singularly focused on improving student outcomes in America’s public schools. This is a unique copyright program.

Under §13-107 (a) (1) sole-source procurement defined in the State Finance and Procurement Article of the Annotated Code of Maryland is whenever a procurement officer determines that there is only one available source for the subject of a procurement contract, the procurement officer may award the procurement contract, without competition, to that source. Furthermore, Superintendent’s Rule 3209, paragraph 2a, states that all purchases are subject to the published procedures, authority, and scrutiny of the Office of Purchasing. Also, Superintendent’s Rule 3215 creates guidelines and procedures for sole-source procurement only under specific guidelines. The rule permits a sole-source contract when the Office of Purchasing determines “that it would be advantageous or [that it would be] impractical to seek or utilize another source when the requirement is only available from a single source and when the compatibility of equipment, accessories, or replacement parts is the paramount consideration.” In addition, under the Office of Purchasing Procedure 3215.003, paragraph 2.7, a sole-source purchase may also arise from the following condition: copyrighted products, such as software, publications, textbooks, media, or products (specialized and/or advanced technology), which ensure a
compatible learning environment for students/faculty at various school sites. The existence of limited rights in data patent rights’ copyrights makes the supplies or services available from only one source.

**Recommendation:**

Award of contract is recommended to:

The President and Fellows of Harvard College  
Center for Education Policy Research  
Cambridge, MA

**Responsible school or office:**  
Department of Research, Accountability, and Assessment

**Contact person:**  
Elizabeth Grace Chesney

**Funding source:**  
Operating funds
11. **Contract:** Replacement of Windows, Blinds, Doors – Battle Grove Elementary School  
**Contract #:** PCR-229-12

**Term:** N/A  
**Extension:** N/A  
**Contract Ending Date:** N/A

**Estimated annual award value:** $ 554,288  
**Estimated contingency amount:** $ 55,429  
**Estimated total award value:** $ 609,717

**Board meeting date:** December 6, 2011  
**Bid issued:** September 8, 2011  
**Pre-bid meeting date:** September 19, 2011  
**Due date:** October 11, 2011  
**No. of vendors issued to:** 6  
**No. of bids received:** 3  
**No. of no-bids received:** 0

**Description:**

This project consists of the removal and replacement of 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 required code requirements.

**Recommendation:**

Award of contract is recommended to:

   Baltimore Contractors, Inc.  
   Responsible school or office: Department of Physical Facilities  
   Contact person: Michael G. Sines  
   Funding source: Qualified Zone Academy Bond (QZAB) budget
**Contract:** Replacement of Windows, Blinds, Doors – Battle Grove Elementary School  
**Contract #:** PCR-229-12

<table>
<thead>
<tr>
<th>Bidders’ Names</th>
<th>Baltimore Contractors, Inc.</th>
<th>E. Pikounis Construction Co., Inc.</th>
<th>Huntington &amp; Hopkins, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid: Bidders BASE BID shall include Davis-Bacon Act - Wage Determinations as set by the Wage and Hour Administrator at the U.S. Dept. of Labor and provided in Specification Section 00850. (Include the following allowance(s) in the Base Bid: $10,000 for Industrial Hygienist Services)</td>
<td>$469,288</td>
<td>$492,440</td>
<td>$531,127</td>
</tr>
<tr>
<td>Alternate No. 1 ADD/DEDUCT: Remove existing door, door frame, door hardware including threshold, window unit within frame</td>
<td>$85,000</td>
<td>$123,658</td>
<td>$109,976</td>
</tr>
<tr>
<td>Total</td>
<td>$554,288</td>
<td>$616,098</td>
<td>$641,103</td>
</tr>
</tbody>
</table>
12. **Contract:** Installation of a New Elevator – Orems Elementary School  
**Contract #:** MBU-504-12  

<table>
<thead>
<tr>
<th>Term:</th>
<th>N/A</th>
<th>Extension:</th>
<th>N/A</th>
<th>Contract Ending Date:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated annual award value:</td>
<td>$ 418,376</td>
<td>Estimated contingency amount:</td>
<td>$ 41,837</td>
<td>Estimated total award value:</td>
<td>$ 460,213</td>
</tr>
</tbody>
</table>

- **Board meeting date:** December 6, 2011  
- **Bid issued:** October 6, 2011  
- **Pre-bid meeting date:** October 13, 2011  
- **Due date:** October 27, 2011  
- **No. of vendors issued to:** 8  
- **No. of bids received:** 4  
- **No. of no-bids received:** 0

**Description:**

This project will provide a new elevator within the existing school. There will be reconfiguration of the existing library and boiler room to accommodate the new elevator shaft. The accepted Add-Alternate relocates the computer lab, presently housed in the library, to an adjacent classroom. This project will provide ADA access to the school.

**Recommendation:**

Award of contract is recommended to:

- **RWC Contracting, LLC**  
- **Baltimore, MD**  

**Responsible school or office:** Department of Physical Facilities  

**Contact person:** Michael G. Sines  

**Funding source:** Qualified Zone Academy Bond (QZAB) budget
**Contract Name:** Installation of a New Elevator for Orems Elementary School  
**Contract #:** MBU-504-12

<table>
<thead>
<tr>
<th>Bidders’ Names</th>
<th>RWC Contracting LLC</th>
<th>Bob Porter, Inc.</th>
<th>Nichols Contracting, Inc.</th>
<th>Huntington &amp; Hopkins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid: (Include the following allowance(s) in the Base Bid: $13,000 for Industrial Hygienist Services)</td>
<td>$354,396</td>
<td>$411,700</td>
<td>$448,000</td>
<td>$552,170</td>
</tr>
<tr>
<td>Alternate No.1 ADD: Relocate computer lab from library to an adjacent classroom, add A/C, electric, data</td>
<td>$63,980</td>
<td>$48,000</td>
<td>$47,000</td>
<td>$95,545</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$418,376</td>
<td>$459,700</td>
<td>$495,000</td>
<td>$647,715</td>
</tr>
</tbody>
</table>
13. **Contract:** Installation of a New Elevator – Pleasant Plains Elementary School  
**Contract #:** MBU-505-12  

<table>
<thead>
<tr>
<th>Term:</th>
<th>N/A</th>
<th>Extension:</th>
<th>N/A</th>
<th><strong>Contract Ending Date:</strong></th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated annual award value:</td>
<td>$351,396</td>
<td>Estimated contingency amount:</td>
<td>$35,139</td>
<td>Estimated total award value:</td>
<td>$386,535</td>
</tr>
</tbody>
</table>

- **Board meeting date:** December 6, 2011  
- **Bid issued:** October 6, 2011  
- **Pre-bid meeting date:** October 13, 2011  
- **Due date:** October 27, 2011  
- **No. of vendors issued to:** 8  
- **No. of bids received:** 4  
- **No. of no-bids received:** 0

**Description:**

This project includes the new installation of an exterior elevator shaft and mechanical room. This elevator will be a 2-stop elevator. The addition will allow accessibility to the second floor of the school.

**Recommendation:**

Award of contract is recommended to:

- RWC Contracting, LLC  
  Baltimore, MD

**Responsible school or office:**  
Department of Physical Facilities

**Contact person:**  
Michael G. Sines

**Funding source:**  
Qualified Zone Academy Bond (QZAB) budget
**Contract:** Installation of a New Elevator – Pleasant Plains Elementary School  
**Contract #:** MBU-505-12

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid: (Include the following allowances in the Base Bid: $13,000 for Industrial Hygienist Services and $12,000 for Rock Excavation.)</td>
<td>$351,396</td>
<td>$412,625</td>
<td>$435,900</td>
<td>$489,000</td>
</tr>
<tr>
<td>Total</td>
<td>$351,396</td>
<td>$412,625</td>
<td>$435,900</td>
<td>$489,000</td>
</tr>
</tbody>
</table>
14. **Contract:** Installation of a New Elevator – Randallstown High School  
**Contract #:** MBU-503-12

<table>
<thead>
<tr>
<th>Term:</th>
<th>N/A</th>
<th>Extension:</th>
<th>N/A</th>
<th><strong>Contract Ending Date:</strong></th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated annual award value:</td>
<td>$</td>
<td>466,350</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated contingency amount:</td>
<td>$</td>
<td>46,635</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimated total award value:</td>
<td>$</td>
<td>512,985</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Board meeting date:** December 6, 2011  
**Bid issued:** October 6, 2011  
**Pre-bid meeting date:** October 13, 2011  
**Due date:** October 27, 2011  
No. of vendors issued to: 9  
No. of bids received: 3  
No. of no-bids received: 0

**Description:**  
This project will provide a new exterior elevator and machine room connecting to the existing school. This project will provide ADA access to the school.

**Recommendation:**  
Award of contract is recommended to:  

Huntington & Hopkins, Inc.  
Hunt Valley, MD

**Responsible school or office:** Department of Physical Facilities

**Contact person:** Michael G. Sines

**Funding source:** Qualified Zone Academy Bond (QZAB) budget
**Contract**: Installation of a New Elevator – Randallstown High School  
**Contract #**: MBU-503-12

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid: (Include the following allowance(s) in the Base Bid: $3,000 for Industrial Hygienist Services and $12,000 for Rock Excavation.)</td>
<td>$466,350</td>
<td>$472,000</td>
<td>$519,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$466,350</strong></td>
<td><strong>$472,000</strong></td>
<td><strong>$519,800</strong></td>
</tr>
</tbody>
</table>
15. **Contract:** Replacement of Windows, Blinds, Doors – Rosedale Center  
**Contract #:** JMI-627-12

<table>
<thead>
<tr>
<th>Term:</th>
<th>N/A</th>
<th>Extension:</th>
<th>N/A</th>
<th><strong>Contract Ending Date:</strong></th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated annual award value:</td>
<td>$ 663,000</td>
<td>Estimated contingency amount:</td>
<td>$ 66,300</td>
<td>Estimated total award value:</td>
<td>$ 729,300</td>
</tr>
</tbody>
</table>

- **Board meeting date:** December 6, 2011  
- **Bid issued:** September 8, 2011  
- **Pre-bid meeting date:** September 20, 2011  
- **Due date:** October 13, 2011  
- **No. of vendors issued to:** 13  
- **No. of bids received:** 4  
- **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

**Responsible school or office:** Department of Physical Facilities

**Contact person:** Michael G. Sines

**Funding source:** Capital budget
**Contract:** Replacement of Windows, Blinds, Doors – Rosedale Center  
**Contract #:** JMI-627-12

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid: (Include the following allowance(s) in the Base Bid: $10,000 for Industrial Hygienist Services)</td>
<td>$663,000</td>
<td>$725,452</td>
<td>$779,000</td>
<td>$835,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$663,000</strong></td>
<td><strong>$725,452</strong></td>
<td><strong>$779,000</strong></td>
<td><strong>$835,000</strong></td>
</tr>
</tbody>
</table>
16. **Consultant Qualification:** Architectural Consulting Services  
**Contract #:** JMI-605-12  
**Term:** N/A  
**Extension:** N/A  
**Contract Ending Date:** 12/31/2014  
**Estimated contract value:** $ N/A  
**Estimated contingency amount:** $ N/A  
**Estimated total award value:** $ N/A  
**Board meeting date:** December 6, 2011  

**Description:**

On August 12, 2008, the Board adopted Rule/Policy 3250 to pre-qualify consultants for architectural consulting services to assist Baltimore County Public Schools with new projects.

On November 14, 2011, the qualification committee met to review the “expressions of interest” submitted by forty (40) consultants. This information was reviewed and each consultant was determined to be either qualified or unqualified based on the evaluation criteria. The qualification committee recommends based on the results of the review that approval be granted to pre-qualify the top thirty-nine (39) consultants.

**Recommendation:**

Approval of consultant qualification is recommended to:

- A S Architects, Inc.  
  Linthicum, MD
- Banta Campbell Architects, Inc.  
  Columbia, MD
- BMGM Architects P.C.  
  Hagerstown, MD
- Buchart Horn, Inc.  
  Baltimore, MD
- Buck Simpers Architect + Associates, Inc.  
  Wilmington, DE
- Colimore Architects, Inc.  
  Baltimore, MD
- Crabtree, Rohrbaugh & Associates Architects  
  Mechanicsburg, PA
- Design Collective, Inc.  
  Baltimore, MD
- di Domenico + Partners, LLP  
  Washington, DC
- E & G Consulting, LLC  
  Owings Mills, MD
- El Associates  
  Harrisburg, PA
- Frederick Ward Associates, Inc.  
  Belair, MD
- Gale Associates, Inc.  
  Towson, MD
- Gilbert Architects Inc.  
  Owings Mills, MD
- Grieves, Worrall, Wright, & O'Hatnick, Inc.  
  Baltimore, MD
- Grimm + Parker Architects  
  Calverton, MD
- HAKS Engineers, Inc.  
  Baltimore, MD
- Harrison and Crain Architects  
  Baltimore, MD
- Hayes Large Architects  
  Hunt Valley, MD
- Hord, Coplan, Macht  
  Baltimore, MD

25
JK Architects + Associates, Inc. Gaithersburg, MD
Johnson, Mirmiran & Thompson, Inc. Sparks, MD
JRS Architects, Inc. Baltimore, MD
Marks, Thomas Architects Baltimore, MD
MIMARCH/MIMAR Architects, Inc. Baltimore, MD
MM Architects, Inc. Lancaster, PA
Moody-Nolan, Inc. Washington, DC
Murdoch Smith Architects, LLC Baltimore, MD
Murphy & Dittenhafer, Inc. Baltimore, MD
Penza Bailey Architects, Inc. Baltimore, MD
Rubeling & Associates, Inc. Towson, MD
Sanders Designs, P.A. Cockeysville, MD
SHW Group LLP Baltimore, MD
Smolen - Emr - Ilkovitch Architects, Inc. Rockville, MD
SP Arch Inc. Pikesville, MD
The Adams Design Group, LLC Baltimore, MD
URS Corporation Hunt Valley, MD
Waldon Studio Architects & Planners, PC Columbia, MD
Wheeler Goodman Masek & Associates, Inc. Annapolis, MD

Responsible school or office: Department of Physical Facilities

Contact person: Michael G. Sines

Funding source: Capital budget
17. Consultant Qualification: Civil/Structural Engineering Consulting Services

Contract #: JNI-772-12

Term: N/A Extension: N/A Contract Ending Date: 12/31/2014

Estimated contract value: $ N/A
Estimated contingency amount: $ N/A
Estimated total award value: $ N/A

Board meeting date: December 6, 2011

Description:

On August 12, 2008, the Board adopted Rule/Policy 3250 to pre-qualify consultants for civil/structural engineering consulting services to assist Baltimore County Public Schools with new projects.

On November 15, 2011, the qualification committee met and reviewed the “expressions of interest” submitted by twenty-four (24) consultants. This information was reviewed and each consultant was determined to be either qualified or unqualified based on the evaluation criteria. The qualification committee recommends based on the results of the review that approval be granted to pre-qualify the top twenty-three (23) consultants.

Recommendation:

Approval of consultant qualification is recommended to:

- ADTEK Engineers, Inc. Frederick, MD
- Brudis & Associates, Inc. Columbia, MD
- Buchart Horn, Inc. Baltimore, MD
- Century Engineering Hunt Valley, MD
- Development Design Consultants, Inc. Westminster, MD
- EBA Engineering, Inc. Baltimore, MD
- Frederick Ward Associates, Inc. Bel Air, MD
- George, Miles & Buhr, LLC Sparks, MD
- George William Stephens, Jr. and Associates, Inc. Belcamp, MD
- HAKS Engineers, Inc. Baltimore, MD
- IMS Engineers Baltimore, MD
- Johnson, Mirmiran & Thompson Sparks, MD
- KCI Technologies, Inc. Sparks, MD
- McLaren Engineering Group Baltimore, MD
- Morabito Consultants, Inc. Sparks, MD
- Morris & Ritchie Associates, Inc. Towson, MD
- Site Resources, Inc. Phoenix, MD
- Tucker, Young, Jackson, Tull, Inc. Baltimore, MD
URS Corporation
Wallace, Montgomery & Associates, LLP
Whitney Bailey Cox & Magnani, LLC
Wilson T. Ballard Company

Hunt Valley, MD
Towson, MD
Baltimore, MD
Owings Mills, MD

Responsible school or office:
Department of Physical Facilities

Contact person:
Michael G. Sines

Funding source:
Capital budget
18. **Consultant Qualification:** Mechanical/Electrical Engineering Consulting Services  
**Contract #:** MWE 807-12

**Term:** N/A  
**Extension:** N/A  
**Contract Ending Date:** 12/31/2014  
**Estimated contract value:** $N/A  
**Estimated contingency amount:** $N/A  
**Estimated total award value:** $N/A

**Board meeting date:** December 6, 2011

**Description:**

On August 12, 2008, the Board adopted Rule/Policy 3250 to pre-qualify consultants for mechanical/electrical engineering consulting services to assist Baltimore County Public Schools with new projects.

On November 11, 2011, the qualification committee met and reviewed the “expressions of interest” submitted by thirty-one (31) consultants. This information was reviewed and each consultant was determined to be either qualified or unqualified based on the evaluation criteria. The qualification committee recommends based on the results of the review that approval be granted to prequalify the top thirty (30) consultants.

**Recommendation:**

Approval of consultant qualification is recommended to:

- A.J. Adam Engineering, LLC  
  Towson, MD
- Allen & Shariff  
  Columbia, MD
- Alpha Tau Mechanical Solutions  
  Washington, DC
- Arora Engineers  
  Chadds Ford, PA
- BKM & Associates, Inc.  
  Baltimore, MD
- BLV Engineering Associates  
  Timonium, MD
- Brinjac Engineering  
  Hunt Valley, MD
- Buchart Horn, Inc.  
  Baltimore, MD
- Century Engineering  
  Hunt Valley, MD
- Charles Ford & Associates, LLC  
  Washington, DC
- Codex Engineering  
  Bethesda, MD
- DCM Architecture & Engineering  
  Camden, NJ
- EBL Engineers, LLC  
  Baltimore, MD
- Gipe Associates, Inc  
  Baltimore, MD
- IMS Engineers  
  Baltimore, MD
- James Posey Associates  
  Baltimore, MD
- Johnson, Mirmiran & Thompson  
  Sparks, MD
- Kibart  
  Towson, MD
Min Engineering, Inc.             Pikesville, MD
Moore Engineering Company       Lancaster, PA
M-R/Innoveers, LLC              Upper Marlboro, MD
Reynolds Consulting Engineers  Stevensville, MD
RMF Engineering Inc.            Baltimore, MD
Ross Infrastructure            Hunt Valley, MD
Setty & Associates, Ltd.        Fairfax, VA
Sidhu Associates, Inc.          Hunt Valley, MD
Spears/Votta & Associates, Inc. Baltimore, MD
SRBR, Inc.                      Catonsville, MD
Tucker, Young, Jackson, Tull, Inc. Detroit, MI
URS Corporation                 Hunt Valley, MD

Responsible school or office: Department of Physical Facilities

Contact person: Michael G. Sines

Funding source: Capital budget
Baltimore County Public Schools

Date: December 6, 2011

To: Board of Education

From: Dr. Joe A. Hairston, Superintendent

Subject: Comprehensive Report on High Schools

Originator: Barbara E. Walker, Assistant Superintendent, High Schools

Resource Person(s): Abbey Campbell, Assistant to Assistant Superintendent, High Schools

Information

That the Board of Education receives the Comprehensive Report on High Schools.

Attachment I - Executive Summary
Attachment II - PowerPoint Presentation
Comprehensive Report on High Schools
Executive Summary

The *Blueprint for Progress* provides the direction and guidance for the school system in ensuring that all students perform at high academic levels. The *Blueprint for Progress* is built on the foundation of clear standards, quality instruction, and individual accountability to address the learning needs for a diverse student population in preparation for college and workforce readiness.

Approximately 31,000 students are currently served at the high school level. Of the 28 schools, one is a half day magnet school, two are alternative schools for high school students, and one alternative school is for students in grades 7-10 who need a program to build social and academic skills. Three full day schools and one half day school are pure magnet programs, eleven schools have a comprehensive program and magnet programs, and ten serve only their zoned students. Three high schools hold state Blue Ribbon status and two hold National Blue Ribbon status. Trend data shows that as minority enrollment steadily rises, Caucasian enrollment continues to decrease. This demographic inversion mirrors Baltimore County’s census data. Increases in poverty also mirror the local economic condition, with increases in student eligibility for receiving free and reduced-priced meals rising over twenty percentage points from 2003 to 2010.

Student achievement continues to improve; we do have areas where focused acceleration is needed. There is an opportunity gap evident for African American students, which is more pronounced in Algebra than reading. Vertical teaming initiatives that look at early interventions in elementary and middle schools are being implemented that will give high school teachers more information about students’ strengths and needs to close the gap. Special education students lag behind other subgroups although they have made substantial gains during the past three years. The use of teaching strategies such as co-teaching is believed to have supported this growth. LEP students continue to fluctuate in reading. It is interesting to note that poverty does not seem to be a negative achievement factor for high school students. SAT and AP participation and performance highlight the fact that our students understand that education will not end at high school, and they want to be prepared for the next step.

The high school program is designed to give students as many opportunities as possible to explore career opportunities and areas of interest as they complete the coursework required by MSDE and BCPS to earn a high school diploma. Infusion of critical reading and writing has been implemented in high schools as a strategy to increase rigor in all classes and support the twenty-first century skills. There has been an increased emphasis with students and families that a high school diploma is not a terminal degree. Schools are working to back-map skills needed to be successful in an advanced placement class in order to prepare more students for the opportunity to take a college-level course in high school. There has been an increased emphasis on writing that is supported with a systemic writing process and required writing assignments in all grades.

The high school mathematics program includes two algebra courses and one geometry course to meet graduation requirements. In addition, students may choose electives in trigonometry, advanced algebra, pre-calculus, calculus, AP Statistics, and AP Calculus AB and BC. Special
education students with specific math disabilities take Algebra Data Analysis and Algebraic Functions which are designed to support their math achievement.

The science curriculum includes content in the areas of biology, chemistry, physics, earth science, and environmental science. All high school science classes include a lab component. Both GT and AP courses are available in biology, chemistry, and physics. Environmental science is offered at the AP level.

Social studies courses include American Government, World History, United States History, and economics. GT courses are available in American Government and World History. AP courses are available in all four content areas.

The remaining graduation requirements include a year of physical education, fine arts, technology, and half a credit of health. The remaining credits are earned through a completer program of world language and/or a magnet or CTE program. Students have a variety of electives available in all areas to further pursue academic interests.

High schools continue to work on differentiation and interventions to help all students learn and be prepared for more rigorous courses. The goal is that every student who enters BCPS will leave with a diploma or Certificate of Attendance.
Comprehensive Report on High Schools

Presented to the Board of Education
Baltimore County Public Schools

December 6, 2011
Preparing for Life After High School

- What does it mean to be college and career ready?

- What are 21st Century skills?
  - Collaborate
  - Create
  - Lead
  - Problem Solve
  - Read, Write, and Think Critically
BCPS High Schools

- 24 high schools
- 3 alternative centers
- 1 half-day technical program

How are all high schools the same?
- All offer core curricula that provide courses to meet MSDE and BCPS graduation requirements.

How are all high schools unique?
- Each offers a different selection of magnet and/or CTE completer programs
BCPS High Schools

- 3 magnet high schools and 1 half-day technical magnet program
- 10 comprehensive high schools with CTE programs
- 11 comprehensive high schools with magnet and CTE programs
Leadership Skills

- AVID
- Parallel Enrollment Program
- Internship
- Dual Diploma to Degree
High School Enrollment 2010–2011
High School FARMS Enrollment
High School LEP Enrollment
How Are High Schools Evaluated?

- Graduation Rate
  (Goal 5, Performance Indicator 5.1)
- HSA Algebra I and English 10 results
  (Goal 1, Performance Indicator 1.1)
- PSAT participation and achievement
  (Goal 1, Performance Indicators 1.2, 1.3)
- SAT participation and achievement score
  (Goal 1, Performance Indicators 1.17, 1.18)
- AP participation and achievement score
  (Goal 1, Performance Indicators 1.13, 1.14)
2011 Graduation Data

4-Year Cohort 81.5%
English HSA Performance
2008–09 and 2009–10

2008–09 AMO 65.8%

2009–10 AMO 72.7%
English HSA Performance 2010–11

2010–11 AMO 79.5%
English HSA Performance by Subgroup 2009–2011

- 2008–09 AMO 65.8%
- 2009–10 AMO 72.7%
- 2010–11 AMO 79.5%
Algebra HSA Performance

2008–09 AMO 56.1%

2009–10 AMO 64.9%
Algebra HSA Performance 2010–11

2010–11 AMO 73.7%
Algebra HSA Performance by Subgroup

2008–09 AMO 56.1%
2009–10 AMO 64.9%
2010–11 AMO 73.7%
Advanced Placement Performance and Participation

Pass Rate

Participation Rate

National Average 7%

BCPS Target 70%
Common Core State Standards

- College and workforce ready standards
- Nationally and internationally benchmarked
- Transdisciplinary
College and Workforce Readiness Continuum

- Higher Performance on SAT-1500 or Above
- One or more higher level course by Grade 11
- Graduation from High School—COLLEGE AND WORKFORCE READY
- Higher Performance on SAT–1500 or Above
- PSAT scores of 45 or better by Grade 10
- Algebra Completed by Grade 8
- Algebra II or higher level of math by Grade 11
- Graduation from High School—COLLEGE AND WORKFORCE READY
College and Workforce Readiness Doesn’t End at 2:30

- Collaboration
- Creativity
- Critical Thinking
- Leadership
- Problem Solving
Baltimore County Public Schools
High Schools

**PHASE 1**
- School Visits
- Formal/Informal Observations
- Appraisal Process
- Leadership Teams
- Data Dialogue
- Professional Development

**Organizational Planning**
- Data Collection
- Assessing Achievement
- Goals Conferences
- Identification of focused areas for improvement
  - HSA performance
  - PSAT performance
  - SAT performance
  - AP performance

**January**

**PHASE 2**
- Assessing School Productivity
  - Data Collection and Analysis
  - Assessing Achievement
  - Mid-Year conferences
  - Appraisal Process
  - Progress Monitoring
  - Principal Performance
  - Leadership Team Performance

**February - March - April**

**REPLANNING**

**PHASE 3**
- Organizational Planning
- Developing Staff/Program
- Leadership Teams
- Data Dialogue
- Professional Development

**August-September**

**October - November**

**December**
Called to order at 7:04 p.m.

**Attendance:**
Stephanie Marks, Lorrie Erdman, Lori Rivieri, Tom Evans, Anita Bass, Tom Henry, Bill Ashton, Lauren Amberman, Dennis Egner, Lorraine Newborn-Palmer, Josh Lamont, Debbie Somerville

Motion to approve minutes from last meeting; approved.

**Report by Stephanie Marks, NAEAC President**
Joint Area Ed Adv Council Meeting is tomorrow night, 7 p.m., Greenwood. Dr. Joe Hairston to speak. Thanks to Principal Tom Evans for hosting tonight’s meeting. Our meeting tonight will be about Sports Concussions with speakers from Life Bridge Health and BCPS Health Services.

**Life Bridge Health Sports Medicine**
Bill Ashton, Manager, and Lorraine Newborn-Palmer, MS, RN, CNRN, from Life Bridge Health started with a Concussion Quiz. This program is unique in Maryland. There are several branches of the Life Bridge Sports Medicine organization, tonight being Education and Outreach. Three programs working together for one common cause; ImPACT Testing, and treating concussions and Sinai Hospital Rehab Facility. Brain injuries are unlike any other type of sports injury. IT’S NOT A SPRAIN, IT’S YOUR BRAIN.

Myths:
- Concussions impacts a child’s brain the same way as an adult brain. (The brain of an adolescent is still developing, up to age 24-25.)
- Only football players are at risk for concussions and helmets prevent concussions. (Football is a collision sport, not a contact sport; however, concussions occur in many types of activities.)
- If you do not lose consciousness when hit in the head, you do not have a concussion.
- Fact-Body replenishes itself when you sleep, so they should be assessed after a head injury by a professional.

Facts:
- Differences in age causes children and adult brains to respond differently to concussions. Children tend to have more brain swelling after a concussion. There is more room or space in a child’s brain since brain isn’t fully developed. Ounce of Prevention=Pound of Cure. Most people with concussions recover just fine with appropriate treatment. High-contact sports (football, boxing, lacrosse, hockey) pose a higher risk of head injury even with the use of protective headgear. If you suspect a friend/teammate has a concussion, you should tell an adult or coach immediately. Approximately every 21 seconds, someone in the U.S. has a serious head injury. 60% of sports concussions are caused by head-to-head hits. A concussion is a mild traumatic brain injury (m TBI).

Initial Symptoms:
- Headaches, seizures, fatigue, trouble sleeping, behavior or emotional changes, light and noise sensitive, dizziness, memory problems, blurred or double vision, hearing loss, loss of balance, trouble walking, vomiting, severe neck pain, unable to feel arm or leg, and weakness.

How do concussions happen?
• Hitting head on the ground, head to head contact, boxing, wrestling, hit with a baseball, hit head on surf board or hitting the water while surfing, motorcycle riding, cheerleader falling (flyers), ice skating, roller skating, etc.

What should you do?
• Dial 911 immediately

What is Second-Impact Syndrome?
• Most often occurs in athletes <24 yrs. following a prior minor concussion. Up to several days after initial injury; dysfunction of cerebral circulation; catastrophic increased intracranial pressure; neurochemical processes differ in the developing brain; predisposition secondary to viral encephalitis and infections such as mononucleosis.

With all injuries:
• Neurologic exam is important to diagnose symptoms such as loss of smell, eye movement, pupil size, balance, blood pressure, hearing, depression, focusing and vision. (The brain has 12 cranial nerves)
• ImPACT Testing, the first and most scientific validated computerized concussion evaluation system. Most widely used computer-based testing program in the world. Only one of the tools used by LBH physicians in the comprehensive management of concussions. ImPACT Testing=Immediate Post-Concussion Assessment and Cognitive Testing.
• Recovery-Sleep is key; the brain heals while sleeping. Complete rest meaning, complete bed rest doing nothing but eating (even junk food, milkshakes, etc.)—no TV, computer, texting, etc. NO sports/gym. Sometimes a sleeping pill is prescribed to knock them out for 2-3 days. Medications, therapy (physical, occupational, speech).
• School Therapy-temporarily delay all tests; time out of school, special lighting, extended time to take tests, extended time to do project/homework due dates, change classroom seating for closer monitoring and to reduce distractions, allow access to teaching notes.
• There is no set timeline for recovery.
• Safety and precaution are key. One Brain…One Life! Seek professional help following a head injury and possible concussion.
• Most insurance companies will cover treatment.

Deborah Somerville, Coordinator, Office of Health Services, BCPS
Eighteen months Dr. Hairston and Dr. Branch appointed an advisory group to look into a program about sports related concussions in schools. Communication was not being done well in schools. A program was initiated that complied with the state law, plus some. Some issues are that nurses leave at the end of the school day and sports are just beginning; some schools have athletic trainers/directors. Handout, Policies and Programs on Concussions for Public Schools and Youth Support Programs. Nurses leave at end of school day.

1. Every coach must complete concussion awareness training on-line, why it matters and what a concussion looks like. They must be CPR trained and complete a course in basic injury care.
2. Required student and athlete training in a more structured way.
3. Any athlete suffering a head injury are out of the game and must be assessed and file paperwork.
4. Communication must improve. Within 12 hours of paperwork being filed, student must be seen by a trained concussion professional—this is a gray area. No training is done in medical schools on concussions.
5. Nurse in the school is notified by email and contacts student’s teachers. Usually recovered in 2-3 weeks if no complications and make modifications in the classroom.
6. Once student is cleared by the doctor to return to sports play, after 5 days with no symptoms, they can resume athletics.
7. There is a problem getting unclear messages from the medical community.
8. School system to publish medical providers that do concussion management, hopefully by January 2012. Johns Hopkins is doing a training program.

9. Looked at Impact Testing. In the NFL, it is the in thing. Pilot schools are Eastern Tech, Hereford and Pikesville High Schools.

10. Why is the baseline done in the schools? Doctors do not have software, so BCPS signed up for the pilot program.

11. Will wait for results of pilot schools and will be done on all kids over an 18 month period.

Adjourned 8:24 p.m.
Southeast Area Educational Advisory Council  
Pre-Operating Budget October 10, 2011  
Minutes

Meeting called to order: 7 PM

Advisory Council Members: Bill Bafitis, Jackie Brewster, Steve Crum, Bonnie Saul, Sandra Skordalos & Bud Staigerwald
Attendees: Roger Janssen (Board of Education), Maria Lowry (Chesapeake HS – Principal), H. Edward Parker (Board of Education), Dale Rauenzahn (Executive Director Student Support Services), George Sarris (Director Budget & Reporting), Tom Shouldice (Dundalk HS – Principal), Harry Walker (Sandy Plains ES – Principal), Michael Weglein (Sollers Point Technical HS – Principal)

Speakers:
John Redmond (TABCO)

“We all understand that we are living in tough financial times. These are the most difficult times any of us have ever seen in our lifetimes. It is hard to know which programs are necessary and which programs can be cut to the bone or even eliminated. Even now there are some programs at the core of our democracy that need to be bolstered to help alleviate the underlying problems. Public education is one of those fundamental programs. If we want an educated, employable, knowledgeable and forward thinking population, we must have an outstanding well-funded public school system. Our children are the future of our country, and now is not the time to short change their potential.

We need to keep any cuts that are deemed necessary to the education budget as far away from the school house as possible. We need to keep the full teaching force with no reductions as our student population increases. We need to make sure that we have sufficient resource teachers to maximize individual student support and the overall quality of instruction.

The public in survey after survey, year after year, is willing to pay for public education. This is not the time to take cutting scissors to our education budget. We doom our children to a gloomy future and our country to failure.”

Debbie Smith (Dundalk HS - PTSA President)

“Dundalk has made great academic and social strides in the last three years in part due to the additional financial support from BCPS. This support and the hard work of our teachers, students, and parents have made a significant difference in the school and the community. We realize that this is going to be a difficult economic year for Baltimore County. We also want the progress at Dundalk to continue. This year, Dundalk’s operating budget was reduced by 5% and the school had a net loss of 14 teachers. This has meant larger class sizes at all levels and fewer resources with which to help individual students.

For next year’s budget, we request that there be no further reduction in the staff at Dundalk. In addition, we request that the school receive the necessary maintenance of effort operating funding to continue to make progress. We don’t want to see the investment in Dundalk reversed.”
On another note, we want to thank the Board for their continued support of the construction of the new Dundalk Sollers Point High School. Construction is on schedule for the school to open in the fall of 2013. We want to invite everyone to swing by the school to see this stellar project. It is going to be truly amazing and a jewel for our community.”

Jackie Brewster (Charlesmont ES – PTA Treasurer)

- “BCPS to consider setting aside money for each school to purchase costly technology supplies (for example projector bulbs) to maintain their technology equipment/replacement computers.
- Our school is in need of a kiln for our art classroom. We have been on a list for several years to receive our kiln from the art office. Our students are not able to complete projects in the elementary art curriculum.
- We also would like to request – for long range planning – our need to replace the window blinds throughout the school as the blinds are in need of repair and/or replacement. This should be a BCPS maintenance consideration and not a responsibility of the local school’s budget.
- As the PTA treasurer I am getting more and more requests for basic school needs like reeds for clarinets. Budgets are getting cut, but programs need to continue. More and more schools are looking for their PTAs to pay for more items, but the PTAs are also having financial issues as more and more families are without jobs and therefore cannot participate in fundraisers. I would like to see the board come up with other methods than cutting 5% from every school to deal with these hard economic times. Most schools were already working with less. Now it is cutting into very basic needs.”

Jackie Brewster (Patapsco HS & CFA - PTSA Secretary)

- “No more reductions in staff
- Ceiling mounted projectors and Promethean boards or similar equipment in all our classrooms. Technology is ever changing and a separate budget account needs to be added to all schools for maintenance and upgrades to all buildings. The type of technology is vastly different between schools. It is unfair for one school to be state of the art while at other schools teachers need to share equipment.
- New seating, sound system and curtains for our auditorium
- New serving lines for our cafeteria
- Plumbing replaced, so we have clean water in our building
- Lights and stands for our athletic fields because we cannot charge admission as other high schools can do
- Air conditioning throughout our building.”

“I have heard that our parking lot is scheduled to be resurfaced finally, so thank you very much. We have also heard that this may be placed on hold; hopefully the project will begin soon.

I heard that there will be some upgrades done to the auditorium, but I do not believe that it includes a full sound system upgrade or seating.”
Steve Crum (Career & Technology Education Advisory Council)

Career & Technology is preparing students for careers right after high school. Learning that occurs at school is used directly out of school. Students need these programs. Please support fully funding these programs.

Testimony portion adjourned: 7:20PM

The SE advisory council met briefly to discuss the priorities for our area and approved the September minutes. During our discussion three questions arose:

1. What will happen to the technology at Dundalk and Sollers Point Tech. when the new school opens? Does it move to the new building? Is it distributed to other southeast high schools?

2. We understand that these are hard economic times, but we do not want to see any additional teacher cuts. Where are all of the teachers who were cut from our local high schools? Are they currently teaching in other schools? Are they teaching students, performing other duties, or joint teaching with other teachers? Did we increase class sizes in some schools just to have teachers waiting in other buildings for teaching positions to become available for them?

3. When it comes to staffing and teachers, what percentage of teachers are actually directly teaching students? Since teacher salaries are the largest portion of our budget, are all of these teachers directly working with students?

We appreciate the attendance of the Board of Education members and the school system personnel at our meeting. We welcome their future attendance at our meetings.

Special thanks to Mr. Weiglein, Mr. Sheehe and the students of Sollers Point Tech. HS for hosting our dinner and preparing a delicious meal. It is always a pleasure to see our students being prepared for their future.

Meeting adjourned: 8:40PM
RULE 1240

COMMUNITY RELATIONS: Community Involvement

VISITORS TO SCHOOLS [Visits to Schools]

I. PURPOSE

TO DEVELOP PROCEDURES FOR THE TIME, PLACE, AND MANNER BY WHICH PERSONS VISIT THE SCHOOLS.

II. DEFINITIONS

A. AUTHORIZED EMPLOYEE - THE SUPERINTENDENT, PRINCIPAL, OR ANY PERSON DESIGNATED IN WRITING BY ONE OF THESE PERSONS AS AN AGENT OF THE SCHOOL SYSTEM FOR THE PURPOSES OF THIS POLICY.

III. PROCEDURES

A. AN AUTHORIZED SCHOOL VISITOR IS A PERSON (NOT A STUDENT OF THE SCHOOL OR AN IDENTIFIED EMPLOYEE OR VOLUNTEER OF BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) ON OFFICIAL BUSINESS) WHO HAS LEGITIMATE SCHOOL BUSINESS, TO INCLUDE, BUT NOT LIMITED TO, PARENT TEACHER CONFERENCES, PRE-ARRANGED CLASSROOM VISITS, ATTENDANCE AT OTHER SCHOOL EVENTS OR APPOINTMENTS WITH SCHOOL EMPLOYEES.

B. EACH PRINCIPAL WILL ENSURE THAT SIGNS ARE POSTED AT ASSIGNED VISITOR ENTRANCES THAT WELCOME VISITORS AND DIRECT THEM TO THE SCHOOL OFFICE FOR REGISTRATION BEFORE ENTERING ANY PART OF THE BUILDING. [All members of the school staff are encouraged to make visitors feel welcome. All visitors shall be directed to report to the school office where they shall be greeted by a member of the principal’s staff.]


2. EMPLOYEES MAY DEMAND IDENTIFICATION AND REASON FOR THE VISIT FROM ANY PERSON WHO DESIRES TO ENTER THE PROPERTY.
C. PRIOR TO VISITING ANY PORTION OF THE SCHOOL, ALL VISITORS TO SCHOOLS MUST REPORT TO THE MAIN OFFICE, SIGN THE VISITOR’S LOG, STATE THE REASON FOR THEIR VISIT, AND RECEIVE A VISITOR’S PASS THAT MUST BE WORN AT ALL TIMES.

D. ANY SCHOOL SYSTEM EMPLOYEE WHO OBSERVES A VISITOR WITHOUT A PASS SHOULD DIRECT THAT INDIVIDUAL TO THE MAIN OFFICE.

E. CLASSROOM VISITS
   1. CLASSROOM VISITS AND CONFERENCES BY PARENTS AND OTHER AUTHORIZED INDIVIDUALS ARE ENCOURAGED. SUCH VISITS SHOULD BE ARRANGED THROUGH THE PRINCIPAL’S OFFICE OR WITH THE CLASSROOM TEACHER [Visitors requesting conferences are to schedule those conferences with an administrator and/or teacher] prior to coming to the school.
   2. THE PRINCIPAL RESERVES THE RIGHT TO LIMIT OR SCHEDULE THE VISIT IN SUCH A WAY TO DIMINISH OR AVOID DISRUPTION TO THE NORMAL OPERATION OF THE SCHOOL.

IV. DENIAL OF ACCESS

A. AN AUTHORIZED EMPLOYEE [The principal] MAY DENY ACCESS TO BCPS PROPERTY TO ANY PERSON WHO: [has the authority to exclude from school premises any individual who disrupts the instructional program or who may pose a threat to the safety and security of students or staff.]
   1. IS NOT A BONA FIDE, CURRENTLY REGISTERED STUDENT OR A BCPS EMPLOYEE WHO DOES NOT HAVE LAWFUL BUSINESS TO PURSUE AT THE SITE; OR
   2. IS A BONA FIDE, CURRENTLY REGISTERED STUDENT AT THE SCHOOL AND HAS BEEN SUSPENDED OR EXPELLED; OR
   3. HAS BEEN DENIED ACCESS TO THE; OR
   4. ACTS IN A MANNER THAT DISRUPTS OR DISTURBS THE NORMAL EDUCATIONAL FUNCTIONS OF THE SCHOOL; OR
RULE 1240

5. MOLESTS OR THREATENS A STUDENT, EMPLOYEE, AGENT, OR ANY OTHER INDIVIDUAL ON SCHOOL GROUNDS, ON A SCHOOL VEHICLE, OR ON ANY PROPERTY OWNED BY THE SCHOOL SYSTEM.

V. COMPLIANCE

A. THE SCHOOL PRINCIPAL IS RESPONSIBLE FOR FOLLOWING ESTABLISHED PROCEDURES FOR ADMITTING ONLY AUTHORIZED USERS TO SCHOOL PROPERTY.

B. THE SCHOOL PRINCIPAL IS RESPONSIBLE FOR INVESTIGATING INSTANCES OF ALLEGED VIOLATIONS OF THIS RULE AND TAKING APPROPRIATE ACTION, EXCEPT WHEN IT MAY BE APPROPRIATE TO DENY ACCESS TO MULTIPLE PROPERTIES, IN WHICH CASE THE SUPERINTENDENT’S DESIGNEE WILL BE RESPONSIBLE.

C. AUTHORIZED EMPLOYEES ARE RESPONSIBLE FOR ISSUING NO TRESPASS LETTERS IN ACCORDANCE WITH ESTABLISHED SCHOOL SYSTEM PROCEDURES.

Rule
Approved: 10/09/69
Revised: 06/13/06
Revised: 03/27/07
REVISED: _________

Superintendent of Schools
COMMUNITY RELATIONS: Community Involvement

Participation in the Local School by Community Members

The program of education in the local school is an appropriate matter for community involvement. Each school has a School Improvement Team on which there is parent/community representation. In addition, each school should have organizations such as the PTA/PTSA and student government. It is through these representatives that the principal and other school personnel are able to channel communications and allow for participation in issues related to the improvement of schools.

Rule
Approved: 2/10/77
Revised: 3/27/07

Superintendent of Schools
RULE 3130

NON-INSTRUCTIONAL SERVICES: NON-INSTRUCTIONAL SERVICES

PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS

I. PURPOSE

TO ESTABLISH GUIDELINES FOR THE SOLICITATION AND PURCHASE OF COMMEMORATIVE ITEMS, PRODUCTS, OR SERVICES FOR THE PURPOSE OF MAKING THESE ITEMS AVAILABLE FOR SALE TO BALTIMORE COUNTY PUBLIC SCHOOL (BCPS) STUDENTS.

II. PROCEDURES

A. THE SCHOOL PRINCIPAL OR THE SUPERINTENDENT’S DESIGNEE SHALL ASSUME FINAL AUTHORITY, CONTROL, AND RESPONSIBILITY FOR ENSURING THAT THE PURCHASE OF COMMEMORATIVE ITEMS, PRODUCTS, OR SERVICES IS IN THE BEST INTEREST OF STUDENTS WITH REGARD TO PRICE, QUALITY, SERVICE, AND RELIABILITY.

B. ALL CONTRACTS AND AGREEMENTS ENTERED INTO IN ACCORDANCE WITH THIS RULE SHALL BE EXECUTED ON BEHALF OF THE SCHOOL BY THE PRINCIPAL OR THE SUPERINTENDENT’S DESIGNEE.
   1. CONTRACTS SHALL BE WRITTEN FOR A PERIOD NOT TO EXCEED ONE SCHOOL YEAR, UNLESS APPROVAL FOR AN EXTENDED PERIOD HAS BEEN AUTHORIZED BY THE OFFICE OF PURCHASING.
   2. EMPLOYEES SHALL ENSURE THAT ALL CONTRACTS AND AGREEMENTS ENTERED INTO FOR THE PURPOSE OF THIS RULE ARE AUTHORIZED BY THE BOARD OF EDUCATION OF BALTIMORE COUNTY’S ETHICS CODE POLICIES.

C. ANY PROFIT FROM THE SALE OF SAID ITEMS SHALL BE APPLIED TO SCHOOL ACTIVITIES WHICH DIRECTLY BENEFIT STUDENTS

III. PERMISSIBLE PRODUCTS AND SERVICES
A. FOR THE PURPOSE OF THIS RULE, THE GUIDELINES OUTLINED HEREIN SHALL BE APPLICABLE, BUT NOT LIMITED TO, THE PURCHASE OF THE FOLLOWING:

1. SCHOOL JEWELRY, SCHOOL PENNANTS, SCHOOL SPIRIT APPAREL, YEARBOOKS, CAPS, GOWNS, GRADUATION INVITATIONS AND NAME CARDS, VENDING MACHINE ITEMS, AND OTHER SCHOOL-RELATED ACCESSORIES;

2. SCHOOL SUPPLIES SOLD IN THE SCHOOL STORE FOR PURCHASE BY STUDENTS AND THAT SUPPORT THE CURRICULAR PROGRAM;

3. STUDENT PHOTOGRAPHS, INDIVIDUAL OR GROUP (INCLUDING SENIOR PICTURES).

RELATED POLICIES: BOARD OF EDUCATION POLICY 1300, USE OF SCHOOL FACILITIES
BOARD OF EDUCATION POLICY 3000, NON-INSTRUCTIONAL SERVICES
BOARD OF EDUCATION POLICY 3209, PURCHASING PRINCIPLES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICIES, SUB SERIES 8360, ETHICS CODE

RULE SUPERINTENDENT OF SCHOOLS
APPROVED: ______________
RULE 3225

NON-INSTRUCTIONAL SERVICES: Purchasing

Furniture, Fixtures, and Equipment

I. PURPOSE

TO ESTABLISH GUIDELINES FOR THE SELECTION, PURCHASE, AND INSTALLATION OF FURNITURE, FIXTURES, AND EQUIPMENT FOR NEW SCHOOL CONSTRUCTION PROJECTS, BUILDING RENOVATIONS AND ADDITIONS.

II. [1.] Definitions

*Furniture, fixtures, and equipment (FF&E)* - MEANS THOSE MOVEABLE, DURABLE, LONG-LASTING ITEMS [includes furnishings, fixtures, and equipment] necessary to equip new school CONSTRUCTION projects, building renovations, [or] AND additions for student and administrative use.

III. [2.] Budget Determination

A. When a project is included in the proposed capital budget, the superintendent will determine the initial FF&E funding, UP TO [generally] 10% of the construction estimate. For the purposes of this calculation, cost of construction does not include site acquisition, engineering and design, road improvements and other costs not directly related to the specific cost of constructing the building. [If there are construction cost overruns, due to bids higher than anticipated or changes in scope during design or construction.]

1. Funds may be diverted from the available FF&E amount to cover CONSTRUCTION COSTS IF NECESSARY. [this additional expense.]

2. [Conversely.] FF&E funds may be increased if specific needs are demonstrated and funding is available from other project accounts.

B. [A.] Initial FF&E Funding

1. The Superintendent shall use 10% as a general guide only and this can vary according to type of project, special needs of the school, and funding availability.

IV. [3.] Eligible Expenditures
[Items that are permanently attached to the building structure are considered part of the construction portion of the budget.]

A. Eligible Expenses for FF&E
   1. Examples of items that may be purchased with FF&E funds include: desks, chairs, tables, office furniture, desktop computers, TECHNOLOGY HARDWARE FOR INSTRUCTION, SERVERS, network hardware, cafeteria tables, and audio-visual equipment. FF&E funds may also be used for specialized items necessary to equip art, music, science, [and] technical education rooms, special education rooms, and physical education space when those classrooms are part of the new construction, renovation, or addition.

B. Ineligible Expenses for FF&E Funds
   1. If the [school is building] CONSTRUCTION PROJECT IS an addition, FF&E funds may not be used to purchase any items for the existing school building. Items that may not be purchased with FF&E funds include, but are not limited to: supplies and materials, textbooks, uniforms, sports equipment, some musical instruments, vehicles, laptop computers AND OTHER MOBILE ELECTRONIC DEVICES, office supplies, library books, wall-mounted chalkboards, kitchen serving lines, kitchen equipment, software, and related licenses for computers that are not part of the capital project.

[4. Accounting Procedures

The Office of Budget and Reporting will verify that the FF&E amount is consistent with the appropriation and notify capital accounting the agency, project number, and dollar amount so that capital accounting can establish the FF&E objects. Budget and reporting will notify the office of Purchasing of the approved FF&E amount. Capital accounting will notify budget, facilities, and purchasing when the account is established and purchase orders may be processed. The Office of Budget and Reporting will approve purchase orders to ensure the proper account codes are used.]

V. [5.] COMPLIANCE [Coordination with the School]

A. THE DEPARTMENT OF FISCAL SERVICES WILL ASSIST SCHOOL ADMINISTRATORS IN COORDINATING PURCHASES OF FF&E WHILE ENSURING THAT EXPENDITURES MEET THE NEEDS OF STUDENTS AND STAFF WHILE STAYING WITHIN BUDGETED
FUNDING  [Once the budget is approved and the project is scheduled to begin, within a few months, the Office of Budget and Reporting will coordinate the expenditure of funds with the appropriate principal and representatives from the Offices of Purchasing, Facilities, the Division of Curriculum and Instruction, and the appropriate area assistant superintendent in advance of purchases. When a new school is being built, coordination by the Office of Budget and Reporting shall be initiated after the new principal is appointed.].

B. THE DEPARTMENT OF FISCAL SERVICES WILL IMPLEMENT PROCEDURES FOR THE ESTABLISHMENT OF BUDGETS, PURCHASE OF FF&E, AND THE RECORDING OF CAPITAL ASSETS IN THE FIXED ASSETS INVENTORY SYSTEM.

[6. Ordering information

A. The principal is responsible for identifying items to be purchased with FF&E funds, and for submitting a proposed budgets for all proposed FF&E expenditures to the Office of Budget and reporting before any purchase orders can be processed.

B. The Office of Budget and Reporting will review the purchase orders and approve as to the suitability of what is being purchased, in order to ensure that every proper account code is used, and to monitor the adopted budget.

C. Purchase orders will then be sent to the Office of Purchasing for processing.

7. Project Completion and Close Out

A. FF&E funds may be spent as long as funds are available and the project remains open.

B. The Office of Budget and Reporting will notify Capital Accounting to close the FF&E account when all funds are expended or when the project manager in facilities determines that there will be no additional construction expenditures.

C. The Office of Budget and Reporting will, upon completion of the project, notify the Office of Purchasing that no additional FF&E purchase orders should be processed.]
LEGAL REFERENCES:  *ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §5-112, *BIDS*

RELATED POLICIES:  BOARD OF EDUCATION POLICY 3000, *NON- INSTRUCTIONAL SERVICES*
BOARD OF EDUCATION POLICY 3200, *PURCHASES FROM MINORITY AND SMALL BUSINESS ENTERPRISES*
BOARD OF EDUCATION POLICY 3209, *PURCHASING PRINCIPLES*
BOARD OF EDUCATION POLICY 3210, *PURCHASING GUIDES*
BOARD OF EDUCATION POLICY 3220, *INVENTORIES*
BOARD OF EDUCATION POLICY 7310, *DETERMINATION OF SCHOOL CONSTRUCTION COSTS*

Rule
Adopted:  09/25/69
Revised:  07/13/99
Revised:  06/10/03
Revised:  09/06/06
REVISED:  __________

Superintendent of Schools
PERSONNEL: GENERAL

DATA GOVERNANCE

I. PURPOSE

DATA AND RECORDS MAINTAINED ON BALTIMORE COUNTY PUBLIC SCHOOL (BCPS) INFORMATION SYSTEMS IS THE PROPERTY OF THE SCHOOL SYSTEM AND BCPS EXERCISES CONTROL OVER THE ACCESS TO DATA. THIS RULE ESTABLISHES GUIDELINES FOR THE MANAGEMENT OF SCHOOL SYSTEM DATA, ASSIGN STEWARDSHIP RESPONSIBILITIES FOR BCPS DATA, ESTABLISHES THE STANDARDS FOR CUSTODIANSHIP OF SUCH DATA, AND SETS FORTH PROCEDURES FOR STORAGE, RETRIEVAL, DESTRUCTION, BACKUP, AND ACCESS, AS NEEDED, TO ENSURE PROPER MANAGEMENT AND PROTECTION OF DATA.

II. DEFINITIONS

A. DATA GOVERNANCE - THE EXECUTION AND ENFORCEMENT OF AUTHORITY OVER THE MANAGEMENT OF DATA ASSETS AND THE PERFORMANCE OF DATA FUNCTIONS.

B. DATA STEWARD - AN INDIVIDUAL IDENTIFIED AS HAVING THE RESPONSIBILITY OF MAINTAINING STANDARDS FOR THE SECURITY, INTEGRITY, AND AVAILABILITY OF DATA IN A SPECIFIC CONTENT AREA.

C. DATA STEWARDSHIP - THE FORMALIZATION OF ACCOUNTABILITY FOR THE MANAGEMENT OF DATA RESOURCES.

D. EMPLOYEE – BOTH CERTIFICATED AND NON-CERTIFICATED PERSONNEL EMPLOYED BY THE BOARD.

E. RECORD – DATA OR INFORMATION IN A FIXED FORM THAT IS CREATED OR RECEIVED IN THE COURSE OF SCHOOL SYSTEM BUSINESS.

F. SERVICE PROVIDER - INDIVIDUALS WHO PROVIDE SERVICE TO THE BCPS EITHER THROUGH CONTRACT, CONSULTANT CONTRACT, BUSINESS PARTNERSHIP, OR WHO ARE DEEMED AUTHORIZED USERS WHEN THOSE SERVICES INVOLVE ACCESS TO BCPS RECORDS AND DATA.
III. RESPONSIBILITIES

A. DATA GOVERNANCE COMMITTEE (DGC)
   1. THE DATA GOVERNANCE COMMITTEE (DGC) IS BCPS COMMITTEE ESTABLISHED BY THE SUPERINTENDENT AND CHARGED WITH THE TASK OF THE DEVELOPMENT OF PROCEDURES AND ENFORCEMENT OF THE SCHOOL SYSTEM’S DATA GOVERNANCE POLICY.
   2. THE DGC WILL HAVE THE AUTHORITY TO:
      (a) ESTABLISH, MAINTAIN, AND ENFORCE STANDARDS AND PROCEDURES FOR THE MANAGEMENT OF BCPS INFORMATION ASSETS;
      (b) IDENTIFY INDIVIDUALS TO SERVE AS DATA STEWARDS;
      (c) COORDINATE DATA STEWARD ACTIVITIES; AND
      (d) SUPPORT DATA STEWARDS TO RESOLVE DATA ISSUES AND CONFLICTS.

B. DATA STEWARDS
   1. DATA STEWARDS HAVE THE PRIMARY ADMINISTRATIVE AND MANAGEMENT RESPONSIBILITIES FOR SEGMENTS OF THE DATA WITHIN THEIR SPECIFIC CONTENT AREA AND WILL BE RESPONSIBLE FOR:
      (a) MAINTAINING THE INFORMATION ASSETS IN THEIR CONTENT DOMAIN IN COMPLIANCE WITH THE BOARD’S DATA GOVERNANCE POLICY,
      (b) APPROVING REQUESTS FOR ACCESS TO DATA WITHIN THEIR CONTENT AREA, SPECIFYING THE APPROPRIATE ACCESS PROCEDURE, AND ENSURING APPROPRIATE ACCESS RIGHTS AND PERMISSIONS.
      (c) ENSURING THAT THE USERS OF THE DATA FOR WHICH THE STEWARD IS RESPONSIBLE ARE AWARE OF INFORMATION-HANDLING PROCEDURES.
      (d) ENSURING PROPER USE OF DATA.

C. DEPARTMENT OF TECHNOLOGY
   1. THE DEPARTMENT OF TECHNOLOGY WILL:
(a) INCORPORATE PROCEDURES FOR DATA GOVERNANCE COMPLIANCE IN THEIR DEVELOPMENT, IMPLEMENTATION, AND SUPPORT PROCESSES IN ACCORDANCE WITH THE BCPS QUALITY MANAGEMENT SYSTEM.

(b) ENSURE DATA INTEGRITY BY DEVELOPING PROCEDURES FOR MONITORING, MAINTENANCE, AND BACKUP SYSTEMS.

D. THE DEPARTMENT OF PROFESSIONAL DEVELOPMENT

1. THE DEPARTMENT OF PROFESSIONAL DEVELOPMENT, IN COOPERATION WITH THE DEPARTMENT OF TECHNOLOGY, WILL BE RESPONSIBLE FOR ENSURING ALL EMPLOYEES ARE INFORMED OF THE DATA GOVERNANCE POLICY AND ARE AWARE OF THEIR RESPONSIBILITIES UNDER THIS POLICY AND RULE.

E. PRINCIPALS AND OFFICE HEADS

1. PRINCIPALS AND OFFICE HEADS ARE RESPONSIBLE FOR ENSURING EACH STAFF MEMBER RECEIVES APPROPRIATE TRAINING IN, AND COMPLIES WITH, ALL BOARD OF EDUCATION POLICIES, SUPERINTENDENT’S RULES, AND BCPS PROCEDURES, AS WELL AS FEDERAL AND STATE LAWS AND REGULATIONS, IN THEIR HANDLING OF BCPS DATA AND RECORDS EMPLOYEE RECORDS IN A CONFIDENTIAL MANNER, INCLUDING BUT NOT LIMITED TO:

   (a) THE ACCURACY OF STUDENT RECORDS ON BCPS SYSTEMS;

   (b) MAINTAINING STUDENT RECORDS AND EMPLOYEE RECORDS IN A CONFIDENTIAL MANNER.

F. USERS

1. USERS ARE EMPLOYEES OR AUTHORIZED SERVICE PROVIDERS OF THE SCHOOL SYSTEM WHO ACCESS DATA IN THE PERFORMANCE OF THEIR ASSIGNED DUTIES. THIS ACCESS INCLUDES READING, ENTERING, DOWNLOADING,
COPYING, OR UPDATING DATA. ALL DATA USERS MUST ADHERE TO THE FOLLOWING:

(a) CONFIDENTIALITY: RESPECTING THE CONFIDENTIALITY AND PRIVACY RIGHTS OF INDIVIDUALS WHOSE RECORDS THEY MAY ACCESS.

(b) ETHICS: OBSERVING THE ETHICAL RESTRICTIONS THAT APPLY TO DATA IN WHICH THEY HAVE ACCESS.

(c) POLICY ADHERANCE: ABIDING BY APPLICABLE LAWS AND BOARD POLICIES, RULES, AND PROCEDURES WITH RESPECT TO ACCESS, USE, PROTECTION, PROPER DISPOSAL, AND DISCLOSURE OF DATA.

(d) RESPONSIBLE ACCESS: ACCESSING AND USING INSTITUTIONAL DATA ONLY AS REQUIRED IN THE CONDUCT OF SCHOOL SYSTEM BUSINESS.

VI. DISCIPLINE

A. ANY EMPLOYEE DEEMED TO HAVE VIOLATED THE BOARD’S DATA GOVERNANCE POLICY OR ITS IMPLEMENTATING SUPERINTENDENT’S RULE AND PROCEDURES MAY BE SUBJECT TO SUSPENSION OF HIS/HER SYSTEM ACCESS PRIVILEGES AND DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

B. IN THE CASE OF SERVICE PROVIDERS, THE CONTRACTING OFFICE WILL MAKE A DECISION ON WHETHER SERVICES SHOULD BE TERMINATED.

LEGAL REFERENCES: 18 U.S.C. §2701-2711, ELECTRONIC COMMUNICATIONS PRIVACY ACT
20 U.S.C. §1232g, FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
42 U.S.C. §1320d-1, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)
ANNOTATED CODE OF MARYLAND, STATE GOV’T §§10-611 to -630, ACCESS TO PUBLIC RECORDS (MARYLAND PUBLIC INFORMATION ACT)
COMAR 13A.08.02, STUDENT RECORDS
RELATED POLICIES: BOARD OF EDUCATION POLICY 3170, QUALITY MANAGEMENT SYSTEM (QMS)
BOARD OF EDUCATION POLICY 4002, OBLIGATIONS OF THE EMPLOYEES OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY
BOARD OF EDUCATION POLICY 4104, TELECOMMUNICATIONS ACCESS TO ELECTRONIC INFORMATION, SERVICES AND NETWORKS
BOARD OF EDUCATION POLICY 5230, STUDENT RECORDS
BOARD OF EDUCATION POLICY 8361, STATEMENT OF PURPOSE AND POLICY

RELATED RULE: SUPERINTENDENT’S RULE 2373, PUBLIC INFORMATION ACT REQUESTS: SCHEDULE OF FEES

RULE APPROVED: __________
PERSONNEL: GENERAL

EMERGENCY CLOSINGS – EMPLOYEE ATTENDANCE

I. PURPOSE

THE SUPERINTENDENT MAY AUTHORIZE THE EMERGENCY CLOSING OF ANY OR ALL FACILITIES DEPENDING UPON THE NATURE AND SEVERITY OF THE EMERGENCY. EMPLOYEES SHALL FOLLOW THE FOLLOWING REPORTING GUIDELINES WHEN THE SUPERINTENDENT HAS DETERMINED THAT SCHOOLS, OFFICES OR THE SCHOOL SYSTEM MUST BE CLOSED DUE TO ADVERSE WEATHER CONDITIONS OR OTHER EMERGENCIES.

II. DEFINITION

A. ESSENTIAL PERSONNEL – THOSE EMPLOYEES IN POSITIONS THAT ENSURE THE MAINTENANCE AND CONTINUATION OF BASIC OPERATIONS AND FUNCTIONS OF THE SCHOOL SYSTEM.

III. GUIDELINES

A. THE DEPARTMENT OF HUMAN RESOURCES SHALL ANNUALLY DETERMINE, ASSIGN, AND NOTIFY THOSE EMPLOYEES DESIGNATED AS ESSENTIAL PERSONNEL.

B. ANNOUNCEMENTS

1. ALL SCHOOL OR SYSTEMWIDE CLOSING ANNOUNCEMENTS WILL BE:
   a. POSTED ON THE SCHOOL SYSTEM’S WEB PAGE;
   b. PLACED ON THE SCHOOL SYSTEM’S INFORMATION TELEPHONE LINE (410-887-5555) AND THE BCPS EDUCATION CHANNEL; AND
   c. PROVIDED TO LOCAL RADIO AND TELEVISION STATIONS.

2. USE OF A SYSTEMWIDE CONNECT-ED MESSAGE MAY BE GENERATED, AS DETERMINED BY THE SUPERINTENDENT.

C. ANY CHANGE IN THE OFFICE SCHEDULE DUE TO WEATHER OR OTHER EMERGENCY WILL BE ANNOUNCED AS OUTLINED IN PARAGRAPH B ABOVE. IF NO SPECIFIC ANNOUNCEMENT IS
MADE REGARDING OFFICES, THEY WILL OPERATE ON THE NORMAL SCHEDULE.

D. EMERGENCY CLOSINGS MAY ALSO AFFECT CLASS SCHEDULES, BEFORE- AND AFTER-SCHOOL PROGRAMS, AND RELATED ACTIVITIES (SEE, SUPERINTENDENT’S RULE 6303, EMERGENCY CLOSURES, DELAYS, AND CANCELLATIONS).

IV. REPORTING PROCEDURES

A. WHEN IT IS ANNOUNCED THAT BCPS SCHOOLS WILL BE CLOSED FOR THE DAY, BUT OFFICES ARE OPEN:
   1. THE FOLLOWING EMPLOYEES SHALL REPORT TO WORK ON THEIR NORMAL SCHEDULE: ALL 12-MONTH EMPLOYEES, INCLUDING 12 MONTH TEACHERS.

B. WHEN IT IS ANNOUNCED THAT BCPS SCHOOLS AND OFFICES WILL BE CLOSED FOR THE DAY:
   1. THE FOLLOWING EMPLOYEES SHALL REPORT TO WORK: ALL EMPLOYEES IDENTIFIED AS ESSENTIAL PERSONNEL.

C. WHEN IT IS ANNOUNCED THAT BCPS SCHOOLS WILL BE DELAYED ONE OR MORE HOURS:
   1. THE FOLLOWING EMPLOYEE GROUPS SHALL REPORT TO WORK ON THEIR NORMAL SCHEDULE:
      a. ALL 12-MONTH EMPLOYEES, INCLUDING 12 MONTH TEACHERS
      b. EMPLOYEES IDENTIFIED AS ESSENTIAL PERSONNEL
   2. THE FOLLOWING EMPLOYEE GROUPS SHALL REPORT TO WORK BASED ON THE DELAYED OPENING SCHEDULE:
      a. ALL 10-MONTH EMPLOYEES

D. WHEN IT IS ANNOUNCED THAT BCPS SCHOOLS WILL BE CLOSING EARLY:
   1. ALL 10-MONTH SCHOOL-BASED STAFF MAY LEAVE ACCORDING TO THE ADJUSTED SCHEDULE.
   2. ALL 12-MONTH EMPLOYEES WILL WORK THEIR REGULARLY SCHEDULED WORK HOURS, UNLESS THE SUPERINTENDENT AUTHORIZES THE EARLY DISMISSAL OF OFFICES.
V. ABSENCES

A. IN THE EVENT OF A SCHOOL CLOSURE, EMPLOYEES ARE RESPONSIBLE FOR REPORTING TO THEIR ASSIGNED WORK SITE AS PROVIDED IN THE PROVISIONS OF THEIR APPLICABLE COLLECTIVE BARGAINING AGREEMENT, IF ANY, OR AS DIRECTED BY HIS/HER DEPARTMENT OR OFFICE SUPERVISOR.

B. IF CONDITIONS MAKE IT IMPOSSIBLE FOR AN EMPLOYEE TO REPORT TO WORK DUE TO WEATHER, THE EMPLOYEE MUST REPORT THE ABSENCE TO HIS/HER IMMEDIATE SUPERVISOR OR THE SUPERVISOR’S DESIGNEE PRIOR TO OR NO LATER THAN THE EMPLOYEE’S REGULARLY SCHEDULED REPORTING TIME.

C. EMPLOYEES WHO DO NOT REPORT FOR WORK OR WHO REPORT TO WORK LATE DUE TO INCLEMENT WEATHER WILL BE ALLOWED TO UTILIZE PERSONAL BUSINESS OR ACCRUED VACATION, OR THE ABSENCE WILL BE CHARGED AS TIME OFF WITHOUT PAY.

VI. EXCEPTIONS

THE SUPERINTENDENT SHALL HAVE THE RIGHT TO MAKE EXCEPTIONS TO THIS RULE AS DEEMED APPROPRIATE AND IN THE BEST INTEREST OF THE SCHOOL SYSTEM.

RELATED POLICIES:  BOARD OF EDUCATION POLICY 4100, EMPLOYEE CONDUCT AND RESPONSIBILITIES
BOARD OF EDUCATION POLICY 4203, ABSENCES AND LEAVES
PERSONNEL: Support/Classified Personnel

Forfeitures

1. The starting date of a new employee must correspond to his/her first day “on the job,” and compensation shall commence on that date.

2. Terminating employees are not to be paid beyond the last day actually worked unless they are paid in sick leave status at the time of separation. NOTE: Cash settlement for unused vacation is not in conflict with this policy.

3. Deductions will be made from a final check for monies due the Baltimore County Public Schools such as reimbursement for the use of unearned sick leave.

4. Employees will forfeit holiday pay if they are in unpaid status on both their duty day preceding and following the holiday.

5. Lost time shall be uncompensated unless covered by the provisions of policy on benefits. Deductions for absences within the duty day as late arrivals and early departures shall be proportional to time lost within the limits permitted by the payroll system.

Rule

Superintendent of Schools

Approved: 08/29/68
Revised: 07/12/79
Edited: 07/01/11
PERSONNEL: Classified

Employment: Recruitment and Selection, General

Openings for classified personnel above the entrance level shall be listed by classification title and suitably posted. These lists shall be revised as necessary to reflect current status. Any employee may apply to the Department of Personnel in writing through his supervisor for consideration for any posted position or for reclassification to another line of work. Each employee so applying will be considered for the vacancy or future vacancies provided he/she has satisfactory attendance records, has performed satisfactorily in his/her present position, and possesses the required minimum qualifications.

Employees are encouraged to apply and to bring additional training or skills which would enhance their prospects of promotion to the attention of their supervisors and the Department of Personnel.

Employees who are found to be ineligible for promotion and/or reclassification to a specific position shall be notified of the disqualifying factors, so that they may take steps to correct same.

Employees of the Board of Education will take precedence over outside applicants for any vacancy or new position, provided that the qualifications of the employee are equal to those of the outside applicant.

Where all other factors are considered equal by the Department of Personnel and by the appropriate administrator, the individual having the greatest length of service with the Baltimore County Public Schools shall be selected for promotion.

Rule
Edited: 07/01/11
Approved: 6/25/70]
STUDENTS: Enrollment and Attendance

Special Permission Transfer

I. Purpose

A. To provide procedures and guidelines for student (K-12) special permission transfers in Baltimore County Public Schools (BCPS).

B. In accordance with Board of Education Policy 5140, each Baltimore County public school will have a designated school attendance area. Students shall attend the school serving the school attendance area in which their parents have a bona fide domicile, unless an exception is granted in accordance with the procedures and guidelines provided herein.

C. The Superintendent delegates the responsibility of determining whether a special permission transfer should be granted to the principal of the requested school. The receiving principal shall make his/her decision based on the criteria outlined herein.

D. The Superintendent, in his/her sole discretion, has the authority to determine when a school or schools will be closed to special permission transfers. When a school is deemed a “closed school” under this rule, no students will be admitted to the school through the special permission transfer process.

II. Definitions

A. Business Day – Any day that the central offices of the school system are open for business or as provided on the official school system calendar.

B. Child – Any child who meets all state requirements for enrollment and who is not currently enrolled in a Baltimore County public school.

C. Child of an Employee – A dependent child of a BCPS employee. This includes:

1. A biological child.
2. A legally adopted child.
3. A child for whom the employee has legal guardianship.
4. A stepchild, when the employee’s spouse resides with the employee and the employee’s spouse is the child’s natural or adoptive parent.
D. **Closed School** – A school determined by the Superintendent to be closed to the special permission transfer process.

E. **Employee** – A certificated or non-certificated individual who is an employee for a least 9 months a year [on a full-time basis] by BCPS and as defined by §6–404 and §6–501 of the Education Article of the Annotated Code of Maryland.

F. **Filed** – Means the delivery of documents to the appropriate school system office on or before the documents are due, or depositing the papers in the United States mail before the date the papers are due.

G. **Fraudulent Enrollment** – Refers to the intentional misrepresentation of documentation or material fact regarding domicile, providing false information on the special permission transfer application, and/or the failure to notify BCPS of a change in domicile or a change in hardship conditions for which the special permission transfer was approved. Any such change must be provided to the school principal within fifteen (15) business days of occurrence.

H. **Overcrowded** – Occurs when one or more of the following conditions exists:
   1. Current or projected student enrollment is equivalent to or exceeds state-approved building capacity.
   2. Average class size is equivalent to or exceeds Board-approved staffing guidelines.
   3. Enrollment is equivalent to or exceeds staffing allocation schoolwide or within specific programs, grade levels, or courses.

I. **Parent** – The biological or adoptive parent, legal guardian, or person acting in the absence of the parent or guardian.

J. **Receiving School** – The school where the student is seeking to be enrolled by special permission transfer.

K. **Sibling** – A brother, sister, half-brother, half-sister, stepbrother, stepsister, or foster child who is domiciled in Baltimore County in the same residence as the student applicant.
L. **Student** – A school-aged child who meets specified conditions for establishing domicile in Baltimore County and who is currently enrolled in a BCPS school.

M. **Terminal Grade** – The last grade before transitioning to MIDDLE OR HIGH [another] school. [due to the change in grade level.] Current terminal grades for comprehensive schools are: elementary, fifth; middle, eighth; and high, twelfth.

III. **Guidelines**

A. A student is expected to attend the school that serves his/her attendance area. However, a request for a special permission transfer may be approved by the principal of the receiving school, except as provided herein.

B. Prekindergarten students are not eligible for special permission transfers.

C. Special permission transfer requests related to application and admission to a magnet school must be made in accordance with Board of Education Policy and Superintendent’s Rule 6400, *Magnet Schools and Programs*.

D. A special permission transfer will be approved when one of the following conditions exists:
   1. **Terminal Grade**
      a. When a student in Grades 4, 7, or 11 [who] moves to a different school attendance area after the completion of the school year wishes to complete the final year of elementary, middle, or high school.
   2. **Program of Study**
       a. When a student desires to pursue a curricular, academic, or sequential program of study not offered in the student’s regularly assigned school.
       b. The student must have met the stateD prerequisites for the requested program.
       c. Special permission transfer requests based on program of study will be denied if the requested school is overcrowded [or if the school is deemed a closed school].
   3. **Medical/Student Adjustment**
      a. When the student demonstrates exceptional hardship for reasons of medical, emotional, or social adjustment.
(1) Independent, detailed documentation substantiating the circumstances (e.g., from physicians, psychologists, social workers, or counselors) is required and must be attached to the Application for Special Permission Transfer.

b. Overcrowded conditions will not preclude approval under this section, unless the school has been deemed a closed school.

4. Change of Residence

a. When a student has moved from one school attendance area to a different school attendance area in Baltimore County during the regular school year, but wishes to continue attending his or her school in his or her previous attendance area until completion of the school year.

(1) The family must provide the principal of the school the student currently attends with proof of the new address.

b. When a student plans to move from one school attendance area to a different attendance area on or before November 1 of the current school year.

(1) A student must demonstrate definite plans to move to a different attendance area, as follows:

(a) Proof of purchase or rental must be provided with the application for student transfer.

(b) The new residence must be the primary permanent residence for the student and the student’s family and must be located within the receiving school’s attendance area.

(c) Additional documentation may be requested to establish that the new residence is a bona fide domicile for the student.

(2) If the student is not domiciled with his/her parent in the new attendance area by November 1, the student will be withdrawn at the end of the semester.

5. Siblings

a. When a student whose sibling lives in the same household and is enrolled in the requested school.

(1) To qualify, the sibling of the student seeking special permission must be currently enrolled in the receiving school at the time of application for special permission transfer.
b. Overcrowding will not preclude approval under this section [unless the school has been deemed a closed school].

6. Family Conditions
a. When a parent has demonstrated a hardship necessitates that a student lives in another home within Baltimore County.

b. Overcrowding will not preclude approval under this section, unless the school has been deemed a closed school.

7. Child of an Employee
a. When the parent is a BCPS employee and is requesting a special permission transfer to the school [site] where the parent is employed or to the school nearest the employee’s primary work site.
   (1) The employee’s primary work site must be located within the attendance area of the receiving school.
   (2) If the receiving school is overcrowded, the student will be given the option of applying for a special permission transfer to another school that is not overcrowded [or deemed a closed school] and whose boundary is adjacent to the employee’s work site.

b. If the employee’s primary work site and the requested school is a magnet school, the employee’s child must qualify for admission in accordance with Board of Education Policy and Superintendent’s Rule 6400, Magnet Schools and Programs. If the student qualified for admission into the magnet program, the student will be given priority placement, without entry into the lottery selection process.

c. Special permission transfer requests made under this section will be denied if the requested school is overcrowded [or the school is deemed a closed school].

8. Child Care
a. When the parent of an elementary or middle school student demonstrates hardship in obtaining appropriate full-time before- and/or after-school supervision of the student within the boundaries of the school where the child is domiciled.

b. When a high school student is severely or profoundly disabled and the parent provides documentation of child care, and after consultation with the appropriate offices including, but not limited to, the Offices of Special Education, Health Services, and Transportation.
c. Special permission transfers requested for reasons of child care will be denied if the requested school is overcrowded [or the school is deemed a closed school].

9. Title I Transfer
   a. When a student attends a BCPS school that has been identified as eligible for the Title I Public School Transfer Option and the student has been declared eligible under applicable Title I federal guidelines.
   b. Transfer requests under this section shall be filed with the Office of Title I and Grant Assistance in accordance with Title I Public School Transfer Option procedures.

IV. Application Procedure

A. The following procedures shall be followed when a student is requesting special permission to attend a school outside his or her designated school attendance area.

B. Student Transfer Application
   1. The parent must complete the Application for Special Permission Transfer, K-12, and submit the completed application form with requisite supporting documentation as provided herein to the principal of the receiving school. The Application for Special Permission Transfer is attached hereto as Rule 5140, Form A.
   2. Applications for the succeeding school year must be submitted between April 1 and June 1 of the current school year.
      a. The deadline for application submission will be waived [if and only] if documentation accompanies the application and substantiates one or more of the following conditions:
         (1) The student is a new resident of Baltimore County.
         (2) There is an emergency or event that could not have been foreseen and can be documented as such.
         (3) Information or documentation supporting the transfer request was not available between April 1 and June 1.
   3. The student shall be enrolled in and attend the school serving his/her attendance area while the special permission transfer request is being processed.

C. Receiving School Application Review Process
1. The school will date and time stamp each application immediately upon receipt in the order in which it is received.

2. The principal, or his/her designated administrator, will review the application and:
   a. Consult with the home school principal, as appropriate.
   b. Verify that the student is domiciled in Baltimore County or has been approved for enrollment as a nonresident student in accordance with Board of Education Policy and Superintendent’s Rule 5150, Residents and Nonresident Students.
   c. Forward documentation of a medical or emotional/social adjustment hardship for review:
      (1) Documentation demonstrating a medical hardship shall be forwarded to the coordinator of health services for evaluation and consultation.
      (2) Documentation demonstrating an emotional or social adjustment hardship or documentation from mental health or medical professionals shall be forwarded to the Office of Psychological Services for evaluation and consultation.

3. The principal may deny the application for one or more of the following reasons:
   a. Overcrowding.
   b. Reason for transfer is inconsistent with policy and rule.
   c. [Reason provided is not supported by documentation.]
   d. [Lack of appropriate documentation.]
   e. [The application was not submitted within the required timeline and/or the parent provided no documentation to support the late filing.]
   f. [The school is deemed a closed school.]

D. Notification

1. The principal will make every effort to render a decision by no later than July 1, except as provided below:
   a. Decisions concerning admission to kindergarten will be rendered before the beginning of the school year.
   b. For applications filed for a transfer during the current school year, the principal will make every effort to issue a decision within ten (10) business days.
c. Schools identified for Title I transfers will not approve or deny applications until released to do so by the Title I Office.

2. The principal will indicate his/her approval or denial of the application in the appropriate section of the application. If denied, the reason(s) for denial will be clearly marked. Copies of the application shall be forwarded as follows:
   a. Original application will be returned to the parent.
   b. A copy will be forwarded to the home school principal.
   c. A copy will be maintained in the student’s official school record.

E. Contract for Special Permission Transfer Students

1. The child’s enrollment shall be conditional upon completing and signing the STUDENT CONTRACT: NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER [Contract for Special Permission Transfer Students] (Rule 5140, Form B).
   a. Students who have failed to meet the conditions of the contract may be withdrawn at the end of the school year for ANY ONE OF the following reasons:
      (1) Absences resulting in an attendance rate that is equal to or below the state mandated Adequate Yearly Progress (AYP) attendance rate, the attendance rate of the previous local school year, or the BCPS annual attendance rate, whichever is lower for any given marking period;
      (2) An absence rate or tardiness rate resulting in an attendance referral to the pupil personnel worker (PPW) or to Project Attend, where applicable;
      (3) Accumulated tardiness in excess of the school’s per student average tardiness rate;
      (4) Three (3) or more suspensions;
      (5) Suspension to the Superintendent’s designee resulting in disciplinary action;
      (6) The student has received more failing FINAL grades than passing FINAL grades [in the final marking period; or]
      (7) There is a change in reason for which the transfer was granted. Siblings who were approved for enrollment under this rule will not be affected by the withdrawal of a student under this section.
b. Students who fail to meet the conditions of the Contract for Special Permission Transfer Students and who are approaching terminal-year status will be withdrawn by no later than June 15, and terminal-year status will not apply.

V. Conditions

A. Any student who is granted a special permission transfer must maintain appropriate behavior, attend school regularly, and demonstrate academic progress.

B. A special permission transfer is approved until the student completes the terminal grade of a school level, except when:
   1. A student voluntarily withdraws from the receiving school.
   2. A student withdraws from the instructional program under which the transfer was granted.
   3. A student withdraws from a magnet program within a comprehensive school that is not his/her assigned school.
   4. A special permission transfer is granted for the purpose of Change of Residence from Attendance Area and is approved for one school year only.

C. Any student who is granted a special permission transfer and who completes a terminal grade must attend the MIDDLE OR HIGH school SERVING THE ATTENDANCE AREA WHERE THE STUDENT IS DOMICILED WITH HIS/HER PARENT [serving his or her attendance area], UNLESS A NEW SPECIAL PERMISSION TRANSFER APPLICATION IS APPROVED.

D. Parents are responsible for providing transportation to and from the newly assigned school unless the student can be accommodated by the existing bus routes and existing bus stops of that school. In such instances, the parents/guardians are responsible for providing transportation to and from the existing bus stop.

VI. Fraudulent Enrollment

A. A parent shall notify THE [his/her child’s] school of any change in domicile OR CHANGE IN REASON [and when hardships] for which the special permission was approved [have occurred]. Failure to notify the
school within fifteen (15) business days of any change may result in the student being withdrawn from school.

B. If non-residency or non-custody of an enrolled student is suspected, the matter will be referred to the Office of Pupil Personnel Services for investigation.

C. If a student is found to be fraudulently enrolled in a BCPS school, the school will issue a letter notifying the parent that the student will be withdrawn in ten (10) business days; the letter will advise the parent of his/her right to appeal the finding.

D. If a student is found to be fraudulently enrolled, he or she is precluded from applying for a special permission transfer to the same receiving school during the school year.

VII. Special Conditions

A. Special permission transfers will not be accepted if one of the following conditions applies at the receiving school:
   1. The school is a new school and is in its first school year of operation;
   2. The school is in its first school year of a boundary change;
   3. The Superintendent has declared that the school is a closed school.

VIII. Appeal Process

A. Appeal to the Executive Director
   1. A decision of the principal to deny a special permission transfer application under this rule may be appealed to the Executive Director of Student Support Services (hereinafter, executive director).
   2. The appeal must be made in writing and filed with the executive director within fifteen (15) business days of the date the application is denied. [Electronic transmittals will not be accepted.]
   3. The appeal must include the following:
      a. The full name, mailing address, and telephone number for the person filing the appeal or that person’s designated representative.
      b. A copy of the application signed by the principal.
c. A concise statement of the issues presented and the facts about which the person is appealing.

4. The executive director, or his/her designee, will review the facts of the case and issue a final decision in writing.
   a. The executive director, or his/her designee, will make every effort to issue a written decision within thirty (30) business days of the receipt of the written appeal.

B. Appeal to the Superintendent
   1. If the appeal is denied or the party is not satisfied with the decision rendered by the executive director, he/she may further appeal that decision by filing an appeal with the Superintendent.
   2. The appeal must be made in writing and filed with the Superintendent **within ten (10) business days** of the date of the executive director’s decision.
   3. The Superintendent, or his/her designee, will review the facts of the case and issue a final decision in writing.
      a. The Superintendent or designee will make every effort to issue a written decision within forty-five (45) business days of the receipt of the appeal.

C. Appeal to the Board of Education
   1. A decision of the Superintendent, or his/her designee, regarding enrollment or withdrawal under this rule may be appealed to the Board of Education of Baltimore County.
   2. The appeal must be made in writing and filed with the Board of Education **within thirty (30) calendar days** of the date of the Superintendent’s decision.
   3. The procedures for filing an appeal with the Board of Education are outlined in Board of Education Policy 8340, *Appeal Before the Board of Education*.

D. **FOR ALL APPEALS FILED UNDER THIS SECTION, ELECTRONIC TRANSMITTALS WILL NOT BE ACCEPTED.**

Legal References: *Annotated Code of Maryland, Education Article §4-205, Powers and Duties of County Superintendent*
Annotated Code of Maryland, Education Article §6-404, Designation of Exclusive Representative for Employees; Specific Units
Annotated Code of Maryland, Education Article §6-501, Definitions
Annotated Code of Maryland, Education Article §7-101, Admission of Students; Location; Kindergarten Programs

Related Policies: Board of Education Policy 5100, Compulsory Attendance
Board of Education Policy 5110, Admission
Board of Education Policy 5140, School Attendance Areas
Board of Education Policy 5150, Residents and Nonresidents
Board of Education Policy 6400, Magnet Schools and Programs
Board of Education Policy 8340, Appeal Before the Board of Education
Board of Education Policy 8341, Appeal Before A Hearing Examiner

Rule
Approved: 12/13/73
Revised: 03/13/80
Revised: 11/23/93
Revised: 04/11/00
Revised: 08/14/01
Edited: 01/07/02
Revised: 03/26/02
Revised: 03/09/04
Revised: 04/20/04
Revised: 03/22/05
Revised: 06/12/07
Revised: 08/14/07
Revised: 04/21/09
Revised: 08/09/11
REVISED: ____________

Superintendent of Schools
Baltimore County Public Schools

Application for Special Permission Transfer, K-12

Instructions: Read carefully the information provided in the attached Policy/Rule 5140 before completing this form. The transfer request application for the next school year must be submitted between April 1 and June 1 except for Magnet and Title I applicants. Magnet applicants must submit this application in its entirety according to guidelines established by Policy and Rule 6400. Title I applicants must submit requests according to the guidelines established by the Title I public school transfer option procedures and submit the application to the receiving school principal.

PART I: SCHOOL TRANSFER REQUEST

Name of Student: __________________________________________ Date of Birth: __________________________

School Currently Attending: __________________________________ Current Grade: __________________________

Home School According to Residence: _____________________________________________________________

Name of Parent/Guardian: Dr. ☐ Mr. ☐ Mrs. ☐ Ms. ☐ Miss ☐ __________________________

Address: __________________________________________________________ ZIP Code: __________________________

City/State: __________________________________________ Telephone Number: (Home) __________ (Work) __________ (Other) __________

Requested School: __________________________ Requested School Year: 20__ - 20__ Requested Grade: __________

Reason(s) for Request: Refer to Rule 5140 and check box(es) below:
☐ Terminal grade
☐ Program of study
☐ Medical/student adjustment (must be accompanied by documentation from medical or mental health provider)
☐ Change of residence from attendance area (only when a family moves during a current school year and lasts only until the end of the semester)
☐ Change of residence to attendance area by November 1st
☐ Siblings
☐ Family conditions
☐ Child of an employee
☐ Childcare (the following information must be provided):

Name of daycare provider/agency: __________________________

Address: __________________________________________ Telephone: __________________________

Days and times supervision is provided: __________________ Signature of daycare provider: __________________

Additional explanation (attach separate sheet if more space is needed): __________________________

I have received and read the information in Policy and Rule 5140. I understand that, unless otherwise indicated, if the transfer request is approved, transportation is not provided by BCPS. I understand that providing false information may result in tuition charges and the withdrawal of my child from school.

Signature of Parent/Guardian: __________________________ Date: __________________

PART II: TRANSFER REVIEW/DECISION (To be completed by Receiving School Principal)

Approved ☐ Denied ☐

Reasons for Denial: (Circle all spaces that apply)
A. Overcrowded conditions B. Reasons inconsistent with policy and rule C. Lack of appropriate documentation D. Application late/no unforeseen emergency E. CLOSED SCHOOL

Signature of Receiving School Principal: __________________________ Date: __________________

Appeals: Must be made in writing, including all documentation and a copy of this application signed by the receiving school principal, to the executive director of Student Support Services, Baltimore County Public Schools, 9610 Pulaski Park Drive, Suite 219, Baltimore, Maryland 21220, within ten (10) school days of the date of decision.

Copies: (1) receiving school principal; (2) home school principal; (3) parent/guardian

DRAFT: 9-27-11
Contract for Special Permission Transfer Students

I ________________________ parent/guardian of ________________________ agree to the following conditions/requirements listed below while my child is enrolled in ________________________ on special permission.

1. Attendance/Tardiness- The student named above will:
   - Attend school daily on time and will not be referred to the pupil personnel worker for attendance purposes.

2. Behavior - The student named above will:
   - Behave him/herself in positive ways that contribute to a safe and orderly learning environment for all students.
   - Behave appropriately and will not be suspended to the Superintendent’s Designee and placed in an alternative program.

3. Academics - The student named above will:
   - Maintain passing grades in more than one half of all his/her subjects each school year.

4. Change in reasons for which the transfer was granted - The parent/guardian of the student named above will:
   - Report to the school, within fifteen (15) business days of occurrence, any change in the reason(s) for which the special permission transfer was granted.

5. Magnet program enrollment in comprehensive schools - The student named above will:
   - Maintain enrollment in a magnet program in the requested school when program of study is the reason the transfer was granted.

Failure to comply with any of the above requirements may result in your child’s withdrawal at the end of the school year.

Student’s Signature: ______________________________ Date: _________

Parent’s/Guardian’s Signature: ______________________________ Date: _________

Principal’s Signature: ______________________________ Date: _________]
STUDENT CONTRACT
NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER

I, ___________________________, PARENT/GUARDIAN OF ___________________________

AGREE TO THE FOLLOWING REQUIREMENTS WHILE MY CHILD IS ENROLLED IN ___________________________:

1. ATTENDANCE/TARDINESS – THE STUDENT NAMED ABOVE WILL:
   • MAINTAIN AN ATTENDANCE RATE IN COMPLIANCE WITH POLICIES AND RULES 5140 AND 5150.

2. BEHAVIOR – THE STUDENT NAMED ABOVE WILL:
   • NOT BE SUSPENDED THREE (3) OR MORE TIMES.
   • NOT BE SUSPENDED TO THE SUPERINTENDENT’S DESIGNEE RESULTING IN DISCIPLINARY ACTION.

3. ACADEMICS – THE STUDENT NAMED ABOVE WILL:
   • MAINTAIN PASSING FINAL GRADES IN MORE THAN ONE-HALF OF ALL SUBJECTS EACH SCHOOL YEAR.

4. CHANGE IN REASONS FOR WHICH THE ENROLLMENT WAS APPROVED – THE PARENT/GUARDIAN OF THE STUDENT NAMED ABOVE WILL:
   • REPORT TO THE SCHOOL, WITHIN FIFTEEN (15) BUSINESS DAYS OF OCCURRENCE, ANY CHANGE IN THE REASON(S) FOR WHICH THE ENROLLMENT WAS APPROVED.

5. MAGNET PROGRAM ENROLLMENT IN COMPREHENSIVE SCHOOLS – THE STUDENT NAMED ABOVE WILL:
   • MAINTAIN ENROLLMENT IN A MAGNET PROGRAM IN THE REQUESTED SCHOOL WHEN PROGRAM OF STUDY IS THE REASON THE TRANSFER WAS GRANTED.

I HAVE REVIEWED THIS STUDENT CONTRACT WITH MY CHILD AND UNDERSTAND THAT IF MY CHILD FAILS TO MEET ANY OF THE ABOVE CONDITIONS; HE/SHE MAY BE WITHDRAWN AT THE END OF THE SCHOOL YEAR.
STUDENT’S SIGNATURE: _____________________________ DATE: ________________
PARENT’S/GUARDIAN’S SIGNATURE: _____________________________ DATE: ________________
PRINCIPAL’S SIGNATURE: _____________________________ DATE: ________________
STUDENTS: Enrollment and Attendance

Resident and Nonresident Students

I. Purpose

A. To set forth the procedures verifying bona fide domicile for enrollment purposes and assessing tuition under certain circumstances.

B. A child who is deemed to be domiciled in Baltimore County with his/her parent as outlined below shall be admitted to Baltimore County Public Schools (BCPS) without the payment of tuition and shall attend his/her assigned home school unless attendance in another school is authorized in accordance with school system policy and/or procedures.

C. A CHILD WILL NOT BE ENROLLED IN BCPS UNLESS AND UNTIL ALL DOCUMENTATION IS COMPLETE.

II. Definitions

A. BONA FIDE Domicile – The place in which an individual has a settled connection for legal purposes and the place where a person has his/her true, fixed permanent home, habitation, and principle establishment, without any present intention of leaving. It does not include a temporary residence established for the purpose of free school attendance in the public schools.

B. [A.] Business Day – Any day that the central offices of the school system are open for business or as provided on the official school system calendar.

C. [B.] Child – Any child who meets all state requirements for enrollment and who is not currently enrolled in a Baltimore County public school.

D. [C.] Child of an Employee – A dependent child of a BCPS employee. This includes:
   1. A biological child.
   2. A legally adopted child.
   3. A child for whom the employee has legal guardianship.
   4. A stepchild, when the employee’s spouse resides with the employee and the employee’s spouse is the child’s natural or adoptive parent.

E. [D.] Child of a Military Family – A school-aged child, enrolled in kindergarten through Grade 12, in the household of an active duty member.
1. Active duty means full-time duty status in the active uniformed service of the United States, including members of the National Guard and reserve on active duty orders pursuant to 10 U.S.C. 1209 and 1211.

[E. Domicile – The place in which an individual has a settled connection for legal purposes and the place where a person has his/her true, fixed permanent home, habitation, and principle establishment, without any present intention of leaving. It does not include a temporary residence established for the purpose of free school attendance in the public schools.]

F. Employee – A certificated or non-certificated individual who is employed for at least 9 months a year [on a full-time basis] by BCPS and as defined by §6–404 and §6–501 of the Education Article of the Annotated Code of Maryland.

G. Filed – Means the delivery of documents to the appropriate school system office on or before the documents are due, or depositing the papers in the United States mail before the date the papers are due.

H. Foster Home – A family home in which the child is placed by a licensed public or private agency or by a court of competent jurisdiction.

I. Fraudulent Enrollment – Refers to the intentional misrepresentation of documentation or material fact regarding domicile, providing false information on documentation or applications, and/or the failure to notify BCPS of a change in domicile or change in hardship conditions for which enrollment was approved. Any change in hardship conditions or domicile must be provided to the school principal within fifteen (15) business days of occurrence.

[J. Any such change must be provided to the school principal within fifteen (15) business days of occurrence.]

J. [K] Informal Kinship Care - A living arrangement in which AN ADULT RELATED TO A CHILD BY BLOOD OR MARRIAGE [a relative of a child], WITHIN THE FIFTH DEGREE OF CONSANGUINITY, who is a resident of the state of Maryland, and who is not in the care, custody, or guardianship of the local department of social services, provides for the care and custody of a child due to a serious family hardship.
RULE 5150

[1. Relative means an adult related to the child by blood or marriage within the fifth degree of consanguinity.]

K. [L.] Nonresident Student – Any qualified school-aged child who does not have an established bona fide domicile in Baltimore County.

L. [M.] Parent – The biological or adoptive parent, legal guardian, or person acting in the absence of the parent or guardian.

M. [N.] Residential Dwelling Unit – One or more rooms in a residential building or structure, such as a house, apartment, condominium, or trailer that is used for living purposes.

N [O.] Student – A school-aged child who meets specified conditions for establishing domicile in Baltimore County and who is currently enrolled in a BCPS school.

O. [P.] Terminal Grade – The last grade before transitioning to [another] MIDDLE OR HIGH school [due to the change in grade level. Current terminal grades for comprehensive schools are: elementary, fifth; middle, eighth; and high twelfth.]

III. Resident [Student]

A. A school-aged CHILD [student] meeting any one of the following conditions will be considered a resident student and will be admitted to Baltimore County Public Schools (BCPS) without payment of tuition except as noted elsewhere in this rule:[.]

1. A school-aged CHILD [student] whose parent(s) has/have established A bona fide domicile in Baltimore County;
2. A school-aged CHILD [student] whose parents live apart and:
   a. The parent to whom legal custody is awarded by the court has established A bona fide domicile in Baltimore County.
   b. The parent with whom the CHILD [student] lives regularly has established A bona fide domicile in Baltimore County, and joint custody is awarded by the court, or a determination of legal custody has not been made.
   c. A school-aged [emancipated or] adult [student] who has established an independent bona fide domicile in Baltimore County.
d. A school-aged CHILD [student] with a court-appointed guardian who has established a bona fide domicile in Baltimore County.

e. A school-aged CHILD [student] whose parent has established a bona fide domicile in Baltimore County[,] and who has been placed in a foster or group home in Baltimore County by a licensed private, county, or state child placement agency. Domicile for purposes of admission and assignment is the address of the foster or group home.

B. Verification of Domicile

1. Proof that a child is domiciled in Baltimore County with the child’s parent is required. The burden of establishing A BONA FIDE domicile is with the parent(s).

2. The following documents are required to verify domicile in Baltimore County:

a. Proof of Parent Identity
   (1) A valid driver’s license with photograph, passport, motor vehicle administration identification, or other legal form of photographic identification.
   (2) A document used for photo identification only may not be used to verify domicile.

b. Proof of domicile for homeowner – Acceptable documents are:
   (1) Deed or deed of trust that has all required signatures.
   (2) Title.
   (3) Mortgage coupon book.
   (4) Real estate tax bill or receipt.
   (5) If a home has just been purchased and no deed is available, PROOF OF PURCHASE [signed settlement papers] may be submitted. Within 30 days of enrollment, the parent must submit a deed or a deed of trust with all required signatures.

c. Proof of domicile for renter – Acceptable documents are:
   (1) Original, current lease or rental agreement from a real estate management company or commercial lessor for a residential dwelling located in Baltimore County, along with all required signatures.
(2) Lease or rental agreement from a private party owner. The private party owner must establish ownership as outlined in paragraph III.B.2.b. above.

d. Three documents from the following list must be submitted to verify parent name and address. If mail, an invoice, or a statement is used, the document must be dated within 60 calendar days of the date THE DOCUMENTS ARE SUBMITTED FOR [of ] enrollment PURPOSES.

(1) Federal or state income tax return for the tax year immediately preceding enrollment.
(2) W-2 form for the current year.
(3) A statement written on company letterhead from the parent’s employer which verifies the parent’s current address.
(4) Correspondence addressed to the parent(s) from an office of a federal, state, or local county governmental agency.
(5) Charge account/credit card billing statement.
(6) Bank account statement.
(7) Gas and electric bill.
(8) Cable bill.
(9) Voter’s registration card.
(10) Motor vehicle administration vehicle registration.
(11) Driver’s license, Maryland identification card, or age of majority card issued by the Maryland Motor vehicle Administration only when document has not been used to verify proof of parent identity in Section III.B.2.a. above.
(12) Change of address notification from the United States Postal Service.
(13) Court documents.
(14) Government-issued license and/or professional certificate.
(15) First-class mail from a business or agency.
(16) Health center mailing.
(17) Mailing from a BCPS school or office.
(18) Paycheck/paystub stating name and address.
(19) Other documentation acceptable to the Pupil Personnel Work (PPW) or residency assistant.

3. All documents used to verify domicile under this section must reflect the same address in Baltimore County.
C. Transition[ing] Year Verification
1. All resident students transitioning from Grade 5 to Grade 6 and from Grade 8 to Grade 9 will be required to verify domicile prior to the beginning of the school year.
   a. This requirement does not apply to students identified as homeless, IN A SHARED DOMICILE, OR IN STATE-SUPERVISED CARE.
2. School staff will notify parents of the transition year residency verification requirement and schedule appointments for parents to provide the supporting documentation.
3. Failure to verify domicile in the school attendance area prior to the start of the school year shall result in the student’s withdrawal from school.

D. Shared Domicile
1. The following procedures shall be followed when a child is domiciled with a parent in a residential dwelling located in Baltimore County with another person or persons.
2. The parent must contact the PPW or residency assistant for the school attendance area for the address of the shared domicile residence.
3. The parent must complete the Office of Pupil Personnel Services Shared Domicile Disclosure Form (See Rule 5150, Form A).
   a. The form must be signed and notarized by the owner or leaseholder of the shared property.
   b. The form must be signed and notarized by the parent of the student.
4. The owner or leaseholder of the shared property must provide proof of ownership or leaseholder interest as outlined in paragraph III.A.2. above.
   a. The PPW and/or residency assistant may require the owner or leaseholder of the shared property, whose name and signature appear on the shared domicile application, to be present for the review of the application and documentation.
   b. Failure of the owner/leaseholder to be present at the application review, as directed, may result in denial of the shared domicile application or withdrawal of the student from school.
5. The parent must provide proof of identity as outlined in paragraph III.B.2.a. above.

6. The parent must provide three documents to verify name and address at the shared domicile residence as outlined in paragraph III.B.2.d. above.

7. The PPW or residency assistant will meet with the parent, review all documentation submitted, verify that the documentation complies with the requirements outlined in this rule, and approve or deny enrollment.

8. Enrollment in a shared domicile arrangement will be approved for one school year only.
   a. Each school will provide the parent(s) of a child enrolled at the school under a shared domicile living arrangement notice of the annual renewal requirement, along with a copy of the Shared Domicile Disclosure Renewal Form.
   b. To be considered for enrollment in any subsequent school year, the parent must submit THE FOLLOWING to the student’s home school by no later than June 30 [of each the following]:
      (1) A completed Shared Domicile Disclosure Renewal Form.
      (2) Three documents to verify name and address at the shared domicile residence as outlined in paragraph III.B.2.d. above. If mail, an invoice, or a statement is used, the document must be dated within 60 calendar days of the date of the renewal.
      (3) If the Shared Domicile Renewal Form is not received by the school by the June 30 deadline, the student will be withdrawn, and the parent will be required to complete the application process as outlined in paragraph III.D. above before the student may be enrolled in the school.

9. Notice of Shared Domicile Decision
   a. If enrollment is approved, the PPW or residency assistant will provide a copy of the Shared Domicile Disclosure Form, marked approved, to the parent. The parent will take the approved form and all required documents to the child’s school to complete enrollment.
   b. If enrollment is denied, the PPW or residency assistant will provide a copy of the Shared Domicile Disclosure Form,
marked denied and advise the parent of the reason(s) for the denial.  
[(1) The parent may appeal the denial of enrollment as outlined in paragraph IX of this rule.]  

IV. Nonresident Students  

A. [School-aged students who do not qualify as resident students under the provisions of paragraph III above are considered nonresident students.] Nonresident students will be admitted to BCPS under the following circumstances: [In some cases, payment of tuition may be required.]  
1. Enrollment of a nonresident CHILD [students] will be made only upon the written authorization from the Superintendent and/or the pupil personnel worker. Principals are not authorized to enroll a nonresident student without such authorization.  
2. Enrollment of a nonresident CHILD [student] will be approved for one school year only. Enrollment in any subsequent school year, will only be approved by the Superintendent or PPW upon submission of appropriate documentation.  

B. Out-of-County Foster Placement  
1. A nonresident CHILD [students] who IS [are] placed in a foster home or group home in Baltimore County by a licensed private, county, or state child placement agency may be admitted to BCPS as provided below:  
a. The educational costs associated with the child’s education will be assessed against the Maryland school system determined to be financially responsible.  
b. Out-of-state agencies that place a child in a foster care home or residential facility in Baltimore County shall be liable for the costs of the child’s education, including transportation.  
c. [N] A nonresident CHILD [students] who IS [are] placed for adoption in Baltimore County by an agency with the requisite court order or documentation deemed acceptable by BCPS may be admitted to BCPS without payment of tuition.  
2. The PPW will be responsible for authorizing enrollment under this section.  
3. The following documentation will be required in order to establish residency in Baltimore County:

[Page 8]
RULE 5150

a. A court order or a letter from the placing agency that verifies the current address of the student.
b. One document from the following list:
   (1) Deed establishing ownership.
   (2) Lease or rental agreement from a real estate management company, commercial lessor, or a private party owner.
   (3) Rent receipts.
   (4) Real estate tax bill or receipt.
   (5) Gas and electric bill.
   (6) Water bill.
   (7) Cable bill.
   (8) Online computer services bill.
   (9) Non-cellular phone bill.
   (10) Residency documentation required by the school system.

4. When enrollment has been approved, the child may be enrolled by one of the following:
a. Parent.
b. Placement agency caseworker.
c. Foster parent.
d. Formal kinship care provider.
e. Parent surrogate.
f. Educational guardian.
g. Residential child care program representative.
h. The student, if the student is age 18 or older.
i. Court-appointed special advocate.
j. Court-appointed attorney.

5. Enrollment of a CHILD [student] under this section will be approved for one school year only. Enrollment in any subsequent school year will only be reviewed by the PUPIL PERSONNEL WORKER (PPW) to determine whether the student is eligible to remain in his/her school of origin under the fostering connections as outlined in federal law.

C. Exchange Students
1. An international CHILD [student] holding a J-1 visa who comes for one year of study through a school exchange program approved by BCPS and who resides with a host family with an established bona
fide domicile in Baltimore County may be admitted without the payment of tuition.

D. [Student] Relocation

1. A nonresident CHILD [students] whose parent(s) are in the process of establishing a bona fide domicile in Baltimore County prior to November 1 of the current school year and who have entered into a contract to build, buy, or lease a home may be admitted to BCPS.
   a. The parent shall provide evidence of the relocation by presenting PROOF OF PURCHASE [signed settlement papers] or an original, current lease or rental agreement from a real estate management company or commercial lessor for a residential dwelling located in Baltimore County, along with all required signatures.
   b. Upon approval of the PPW, the child will be admitted to BCPS at the beginning of the school year without the payment of tuition.
   c. If the CHILD [student] is not in his/her projected home by November 1 of the current school year:
      (1) Tuition shall be charged from the beginning of the school year until the end of the first marking period.
      (2) The student will be withdrawn at the end of the first marking period of the school year.

2. Students who become nonresidents DUE TO A CHANGE IN DOMICILE BY [, because] the parent(s) with whom the student resides move out of Baltimore County during the school year [, except as noted below,] may complete the current marking period in his/her current school. IF A STUDENT HAS COMPLETED GRADE 11 IN A BCPS HIGH SCHOOL, THAT STUDENT MAY COMPLETE GRADE 12 IN HIS/HER CURRENT BCPS SCHOOL.
   a. Tuition will be assessed and shall be paid in full within 30 calendar days.
   [b. If a student has completed Grade 11 in a BCPS high school, that student may complete Grade 12 in his/her current BCPS school upon payment of tuition.]
   b. [c.] The parent will be responsible for providing transportation.

E. Medical Placement
1. A nonresident CHILD [student] who is a patient at a hospital, sanitarium, or convalescent home located in Baltimore County will be enrolled upon payment of tuition.

F. Children of Employees

1. A nonresident CHILD [student] whose parent is a BCPS employee may be admitted to BCPS, upon payment of tuition. Any enrollment under this section shall be approved by the PPW, as follows:
   a. The parent will be responsible for transportation.
   b. The child may attend a school within the attendance area of the primary work site of the employee, with the following exceptions:
      (1) If the school serving the attendance area is overcrowded [or the Superintendent has that no additional students will be admitted], the employee shall be given an option of enrolling his/her child at another school adjacent to the employee’s work site.
      (2) If the employee’s primary work site is a magnet school, the employee’s child must qualify for admission in accordance with Board of Education Policy and Superintendent’s Rule 6400, Magnet Schools and Programs, and Superintendent’s Rule 5140, Special Permission Transfer.

2. The child’s enrollment shall be conditional upon completing and signing the STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER [Contract for Nonresident Employee Students] (Rule 5150, Form B).
   a. Students who have failed to meet the conditions of the STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER [Contract for Special Permission Transfer Students] may be withdrawn at the end of the school year for the following reasons, except as provided in 2.b. below:
      (1) Absences resulting in an attendance rate that is equal to or below the state mandated Adequate Yearly Progress (AYP) attendance rate, the attendance rate of the previous local school year, or the BCPS annual attendance rate, whichever is lower for any given marking period.
(2) An absence rate or tardiness rate resulting in an attendance referral to the PPW or to Project Attend, where applicable.

(3) Accumulated tardiness in excess of the school’s per-student average tardiness rate.

(4) Three (3) or more suspensions.

(5) Suspension to the Superintendent’s designee resulting in disciplinary action.

(6) The student has received more failing FINAL grades than passing FINAL grades [on the final marking period].

(7) Change in reason for nonresident enrollment.

b. TERMINAL YEAR STATUS WILL NOT APPLY TO STUDENTS WHO FAIL TO MEET THE CONDITIONS OF THE STUDENT CONTRACT NONRESIDENT EMPLOYEE/SPECIAL PERMISSION TRANSFER; STUDENTS WILL BE WITHDRAWN ON THE LAST DAY OF THE CURRENT SCHOOL YEAR. [Students who fail to meet the conditions of the Contract for Special Permission Transfer Students and who are approaching terminal-year status will be withdrawn by no later than June 15 and Terminal-year status will not apply.]

3. Tuition will be assessed as follows:

a. If the employee is domiciled in the state of Maryland, tuition shall be assessed as follows:

   (1) $1,000 for a child enrolled prior to January 1 of the school year.

   (2) $500 for a child enrolled after January 1 of the school year.

   (3) $500 for a child enrolled in a half-day program.

   (4) Tuition assessed under this section shall be payable in full and will not be prorated except as outlined in section IV.F.3.c below.

b. If the employee is domiciled outside of Maryland, tuition will be established in accordance with Superintendent’s Rule 3610, Tuition Fees, on the county’s portion of the cost of educating a student.

c. If employment of the parent ends during that school year, the student may complete the current semester in his/her approved school; tuition will be prorated at the nonemployee rate for students enrolled less than a full school year.
G. Schools near Boundary of Two Counties

1. A child domiciled with HIS/HER [a] parent(s) in a Maryland county that is in an unusually isolated geographic location and near or adjoining Baltimore County may be enrolled only as follows:
   a. The Superintendent of Schools of the local school system where the child is domiciled requests that the child be enrolled in Baltimore County; and
   b. The Superintendent of BCPS approves the request.

2. Any enrollment under this section shall be referred to the PPW for processing.

3. The parent will be responsible for providing transportation.

4. In accordance with the Annotated Code of Maryland, Education Article §4-121, all funding will be provided by the school system in which the child is domiciled.

H. Hardship

1. Informal Kinship Care
   a. A nonresident CHILD [Students] whose parent(s) are residents of the state of Maryland and whose caregiver status satisfies[d] the conditions of the law MAY BE ENROLLED.
   b. The educational costs associated with the STUDENT’S [child’s] education will be assessed against the Maryland school system determined to be financially responsible.
   c. The criteria for hardship under this provision are:
      (1) Death of a father/mother/legal guardian of a child.
      (2) Serious illness of a father/mother/legal guardian of a child.
      (3) Drug addiction of a father/mother/legal guardian of a child.
      (4) Incarceration of a father/mother/legal guardian of a child.
      (5) Abandonment by a father/mother/legal guardian of the child.
      (6) Assignment of a father/mother/legal guardian of a child to active military duty.
   d. Enrollment under this section shall be referred to and approved by the PPW.
e. The caregiver will be required to complete the Affidavit of Informal Kinship Care and provide supporting documentation of one or more serious family hardships.

2. Serious Family Hardship
   a. A nonresident CHILD [student] whose caregiver status does not satisfy the conditions of informal kinship or whose parent(s) reside outside of the State of Maryland, may be enrolled with the payment of tuition. The criteria for serious family hardship under this section include:
      (1) Death of father/mother/legal guardian.
      (2) Serious illness of father/mother/legal guardian.
      (3) Drug addiction of father/mother/legal guardian.
      (4) Incarceration of father/mother/legal guardian.
      (5) Abandonment by father/mother/legal guardian.
      (6) Assignment of father/mother/legal guardian to active military duty.
      (7) Child abuse or neglect.
      (8) Physical or mental condition of father/mother/legal guardian such that he/she cannot provide adequately for the child’s care and supervision.
      (9) Financial circumstances of father/mother/legal guardian making it a hardship for him/her to provide for the child’s care and supervision.
      (10) Medical or other conditions necessitate that a CHILD [student] live[s] in a home within Baltimore County.
   b. Enrollments under this section shall be referred to and approved by the PPW.
   c. The caregiver will be required to complete an application to enroll a child under this section and provide supporting documentation of one or more serious family hardships.
   d. [The parent shall pay] Tuition SHALL BE PAID, unless the PARENT [family] qualifies for a tuition waiver.

3. The caregiver must provide evidence of A bona fide domicile in Baltimore County as outlined in paragraph IV.

4. The caregiver must notify the PPW, in writing, within fifteen (15) business days, if any change occurs in the care of the student or in the serious family hardship of the student’s parent.

5. A student enrolled under the hardship provision will be enrolled for one school year only.
a. To be considered for enrollment under the hardship provision in subsequent school years, the caregiver must submit a new application to the PPW at least two weeks prior to the beginning of each school year.

6. The Office of Pupil Personnel Services may verify the facts given by the caregiver. If fraud or misrepresentation is discovered during a review, the student shall be withdrawn from BCPS.

7. Any person who makes a material misrepresentation in the caregiver agreement shall be subject to a penalty payable to BCPS for the pro rata share of tuition for the time the student was fraudulently enrolled in a Baltimore County public school.

8. The following will not be considered a hardship for the purpose of enrollment in BCPS:
   a. Presence in Baltimore County primarily for improved quality of education.
   b. Presence in Baltimore County primarily because of adverse conditions in or dissatisfaction with the child’s prior school system.
   c. Placement of the child with the caretaker for child care purposes.

V. Homeless Students

A. BCPS is subject to the requirements of the McKinney-Vento Act concerning the education of homeless children and youth.

B. Schools shall immediately refer for enrollment all homeless children and unaccompanied youth or all children that appear to be homeless to the PPW or to the school-`s] BASED homeless liaison IN ACCORDANCE WITH ESTABLISHED PROCEDURES.

C. A CHILD [Students] who [are] IS determined to be homeless by the PPW or SCHOOL-BASED homeless liaison SHALL [may] be enrolled immediately in BCPS, with or without proof of residency, school immunization records, academic records, or other documents normally required for enrollment.

D. A STUDENT OR CHILD [Resident homeless Students] who IS [are] determined to be homeless may attend their school of origin, with
transportation provided, even if they move outside of their attendance area, or the school in the attendance area serving their temporary residence.

[E. When resident homeless students have to move outside of Baltimore County, if it is determined to be in the students’ best interests, the students may continue to attend their school of origin. The PPW shall assist with the arrangement of transportation.]

E  [F.] If students who have been determined to be homeless become permanently housed during the same school year that the homeless determination[s were] WAS made, the provisions of McKinney-Vento still apply for the remainder of that school year.

VI. Fraudulent Enrollment

A. A parent shall notify his/her child’s school of any change in domicile or hardship condition[s] as soon as the change occurs. Failure to notify the school within fifteen (15) business days of occurrence may result in the student being withdrawn from school.

B. RESIDENCY AND CUSTODY MATTERS [If non-residency or non-custody of an enrolled student is suspected, the matter] will be referred to the Office of Pupil Personnel Services for investigation.

C. If a student is found to be fraudulently enrolled in a BCPS school, the school will issue a letter notifying the parent that the student will be withdrawn in [ten (10)] FIFTEEN (15) business days; the letter will advise the parent of his/her right to appeal the finding.

D. The parent shall be financially liable for tuition for the entire time of fraudulent enrollment or attendance, no tuition waiver shall be granted.

VII. Students who may be Denied Admission

A. A CHILD [Students] who IS [are] currently expelled or suspended from another school system may be denied enrollment in accordance with the Annotated Code of Maryland, Section 7-305(d)(5) or assigned to alternative programs.

VIII. Tuition and Collection of Educational Costs
A. The Department of Fiscal Services will implement procedures for invoicing and collecting tuition payments and educational costs associated with this rule.

B. Tuition rates will be determined annually in accordance with Board of Education Policy and Superintendent’s Rule 3610, Tuition Fees.

C. Requests for tuition waivers, except as provided elsewhere in this rule, may be submitted to the Office of Pupil Personnel Services, along with documentation that the child meets the criteria for a free lunch, reduced-priced lunch, or medical assistance.

D. A nonresident student whose tuition payments are in arrears will be withdrawn at the end of the current semester and will not be approved for re-enrollment as a nonresident student in subsequent years.

E. Educational Costs by Sending Agencies
   1. Funding for the education of students in out-of-county living arrangements will be assessed against the local education agency for the county where the parent or legal guardian of a child resides in accordance with Section 4-122 of the Education Article.
   2. Funding for the education of a student[s] in an informal kinship care relationship will be assessed against the local education agency for the county where the parent or legal guardian of a child resides in accordance with Section 4-122.1 of the Education Article.
   3. An out-of-state agency that places a child in a foster care home or residential facility in Maryland shall be liable for the costs of the student’s education, including transportation in accordance with Section 4-122 of the Education Article.
   4. An out-of-state agency that places a child for adoption in Maryland is not responsible for paying the educational costs associated with the student’s education.

IX. Appeal Process

A. Appeal to the Executive Director
   1. A decision of the PPW or residency assistant to deny the enrollment of a student or to withdraw a student under this Rule may be appealed to the Executive Director of Student Support Services (hereinafter, executive director).
2. The appeal must be made in writing and filed with the executive director within fifteen (15) business days of the date of the notice of enrollment denial or student withdrawal. [Electronic transmittals will not be accepted.]

3. The appeal must include the following:
   (a) The full name, mailing address, and telephone number for the person filing the appeal, or that of the designated representative.
   (b) A copy of the decision rendered by the PPW.
   (c) A concise statement of the issues presented and the facts about which the person is appealing.

4. The executive director, or his/her designee, will review the facts of the case and issue a final decision in writing.
   (a) The executive director, or his/her designee, will make every effort to issue a written decision within thirty (30) business days of the receipt of the written appeal.

B. Appeal to the Superintendent
   1. If the appeal is denied or the party is not satisfied with the decision rendered by the executive director, he/she may further appeal that decision by filing an appeal with the Superintendent.
   2. The appeal must be made in writing and filed with the Superintendent within ten (10) business days of the date of the executive director’s decision.
   3. The Superintendent, or his/her designee, will review the facts of the case and issue a final decision in writing.
      a. The Superintendent, or his/her designee, will make every effort to issue a written decision within forty-five (45) business days of the receipt of the appeal.

C. Appeal to the Board of Education
   1. A decision of the Superintendent, or his/her designee, regarding enrollment or withdrawal under this rule may be appealed to the Board of Education of Baltimore County (Board).
   2. The appeal must be made in writing and filed with the Board within thirty (30) calendar days of the date of the Superintendent’s decision.
3. The procedures for filing an appeal with the Board are outlined in Board of Education Policy 8340, *Appeal Before the Board of Education*.

D. **ALL APPEALS FILED UNDER THIS SECTION MUST BE MADE IN WRITING; NO ELECTRONIC TRANSMITTALS WILL BE ACCEPTED.**

E. [D] **Enrollment during Appeal Process**
   1. If the student is currently enrolled in a BCPS school at the time the appeal is filed, and the appeal has been timely filed, the student may remain in that school until earlier of one of the following:
      a. The Board of Education of Baltimore County has issued its Opinion and Order.
      b. All appeals have been exhausted.
      c. The current school year has ended.

Legal References:
- 42 U.S.C. §11431, *et seq.*, McKinney-Vento Homeless Education Assistance Improvement Act
- Public Law 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008
- Annotated Code of Maryland, Education Article §4–109, *Establishment of Public Schools*
- Annotated Code of Maryland, Education Article §4–121, *Schools near Boundary of Two Counties*
- Annotated Code of Maryland, Education Article §4–122, *Funding for Education of Children in Out-of-County Living Arrangements*
- Annotated Code of Maryland, Education Article §4-122.1, *Education of Child in Informal Kinship Care Relationship*
- Annotated Code of Maryland, Education Article §4-205, *Powers and Duties of County Superintendent*
- Annotated Code of Maryland, Education Article §6-404, *Designation of Exclusive Representative for Employees; Specific Units*
- Annotated Code of Maryland, Education Article §6-501, *Definitions*
RULE 5150

Annotated Code of Maryland, Education Article §7-101, Admission of Students; Location; Kindergarten Programs
Annotated Code of Maryland, Education Article §7-305, Suspension and Expulsion
COMAR 13A.08.05, Informal Kinship Care

Related Policies:
Board of Education Policy 3610, Tuition Fees
Board of Education Policy 5100, Compulsory Attendance
Board of Education Policy 5110, Admission
Board of Education Policy 5140, School Attendance Areas
Board of Education Policy 6400, Magnet Schools and Programs
Board of Education Policy 8340, Appeal Before the Board of Education
Board of Education Policy 8341, Appeal Before Hearing Examiner

Rule

Superintendent of Schools

Approved: 02/26/87
Revised: 11/23/93
Revised: 12/06/94
Revised: 03/24/98
Revised: 05/02/00
Revised: 02/25/04, EFFECTIVE 7/1/04
Revised: 06/12/07
Revised: 08/14/07
Revised: 04/21/09
Revised: 08/09/11
REVISED: ____________
FORM A

OFFICE OF PUPIL PERSONNEL SERVICES

SHARED DOMICILE DISCLOSURE FORM

The undersigned do hereby attest that the parents/guardians of the child(ren) listed below are residing at the following address:

Street Address  City, State, Zip Code  Home Phone Number

and request that the following school-aged child(ren) residing at the same address be permitted to enroll in the Baltimore County Public Schools for the school year 20____-20____ (Do not list children of homeowner/leaseholder):

Name of Student  Date of Birth  School  Grade

It is understood that the information provided by the undersigned is accurate. Any attempt to falsify the above information shall result in withdrawal of the student(s), and the appropriate tuition charge shall be assessed for each student falsely enrolled in the Baltimore County Public Schools. Tuition fees are subject to revision by the Baltimore County Board of Education.

The above-named student(s) will be permitted to enroll in the Baltimore County Public Schools as long as the student(s) and parents/guardians are domiciled at the above-stated address. If a change in domicile occurs, the resident property homeowner/leaseholder and parents/guardians must notify the school(s) immediately, but no later than fifteen (15) business days of the occurrence. If it is determined that false information has been provided or a change in domicile occurs and the school(s) is/are not notified, the parents/guardians whose signatures appear below shall be liable for the assessed tuition, in accordance with Board of Education Policy and Superintendent’s Rule 5150, Resident and Nonresident Students.

It is further understood that in accordance with Superintendent’s Rule 5150, the resident property homeowner/leaseholder will provide proof of property ownership or current lease, and the parents/guardians will provide photo identification and three (3) current documents proving domicile at the above-stated address. Residency verification must be renewed each year that the student(s) and parents/guardians live in a shared domicile living arrangement.

I solemnly affirm under the penalties of perjury that the contents of the foregoing are true to the best of my knowledge, information, and belief. Furthermore, I have received and read copies of Board of Education Policy and Superintendent’s Rule 5150.

Signature of  Resident Property Homeowner/ Leaseholder  Signature of Parent/Guardian of Student(s)

Print Name  Print Name

I hereby certify that on this _____ day of ______, 20__, I hereby certify on this _____day of _______ ____, 20____, before me, the subscriber, a notary public of the State of Maryland, in and for the county of ____________, personally appeared, ____________________________, and made oath in due form of the law that the foregoing matters and facts set forth in the Shared Domicile Disclosure Form are true and correct to the best of his/her knowledge, information, and belief, under penalty of perjury.

[Notary Seal] Notary Public

Print Name___________________________ Print Name___________________________

My Commission Expires ________________ My Commission Expires ________________

**********************************************************************************************

DECISION:  ☐ Approved  ☐ Denied  _________________________ Date: __________

Signature of Pupil Personnel Worker/Residency Assistant

If approved, enrollment is for the 20__-20__ school year only, and only if the parents/guardians and child(ren) named herein reside at the address provided on this Disclosure Form. A new Disclosure Form must be filed each school year.

APPEALS: Must be made in writing and filed within fifteen (15) business days of the date of the denial with the executive director, Student Support Services, Baltimore County Public Schools, 9610 Pulaski Park Drive, Suite 219, Baltimore, Maryland 21220. A copy of this Disclosure Form, signed by the pupil personnel worker/residency assistant, must accompany your appeal.

Revised: 09/27/2011
Contract for Nonresident Employee Students

I, ______________________, parent/guardian of ______________________ agree to the following conditions/requirements listed below while my child is enrolled in ______________________ as a nonresident employee student:

1. Attendance/Tardiness – The student named above will:
   - Attend school daily on time and will not be referred to the pupil personnel worker for attendance purposes.

2. Behavior – The student named above will:
   - Behave him/herself in positive ways that contribute to a safe and orderly learning environment for all students.
   - Behave appropriately and will not be suspended to the Superintendent’s Designee and placed in an alternative program.

3. Academics – The student named above will:
   - Maintain passing grades in more than one-half of all his/her subjects each school year.

4. Change in reasons for which the transfer was granted – The parent/guardian of the student named above will:
   - Report to the school, within fifteen (15) business days of occurrence, any change in the reason(s) for which the special permission transfer was granted.

Failure to comply with any of the above requirements may result in your child’s withdrawal at the end of the school year.

Student’s Signature: _____________________________ Date: ________________

Parent’s/Guardian’s Signature: _____________________________ Date: ________________

Principal’s Signature: _____________________________ Date: ________________

Revised: 8-9-11]
Baltimore County Public Schools

Dr. Joe A. Hairston • Superintendent • 6901 Charles Street • Towson, MD • 21204

Student Contract
Nonresident Employee/Special Permission Transfer

I, ___________________________, Parent/Guardian of ___________________________

Agree to the following requirements while my child is enrolled in ___________________________

1. Attendance/Tardiness – The student named above will:
   • Maintain an attendance rate in compliance with policies and rules 5140 and 5150.

2. Behavior – The student named above will:
   • Not be suspended three (3) or more times.
   • Not be suspended to the superintendent’s designee resulting in disciplinary action.

3. Academics – The student named above will:
   • Maintain passing final grades in more than one-half of all subjects each school year.

4. Change in Reasons for Which the Enrollment Was Approved – The parent/guardian of the student named above will:
   • Report to the school, within fifteen (15) business days of occurrence, any change in the reason(s) for which the enrollment was approved.

5. Magnet Program Enrollment in Comprehensive Schools – The student named above will:
   • Maintain enrollment in a magnet program in the requested school when program of study is the reason the transfer was granted.

I have reviewed this student contract with my child and understand that if my child fails to meet any of the above conditions; he/she may be withdrawn at the end of the school year.
RULE 5330

STUDENTS: Activities

Social Events

I. PURPOSE

A. THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) RECOGNIZES THAT SCHOOL-SPONSORED SOCIAL EVENTS PROVIDE A STRUCTURED FORUM FOR SOCIAL INTERACTION. IN ORDER TO ENSURE THAT THESE FUNCTIONS ARE ORGANIZED IN A CONSISTENT MANNER, THE FOLLOWING GUIDELINES SHALL BE FOLLOWED FOR ALL BCPS SCHOOL-SPONSORED SOCIAL EVENTS THAT OCCUR ON AND OFF OF SCHOOL PROPERTY.

II. DEFINITIONS

A. SCHOOL-SPONSORED ACTIVITY – MEANS ANY ACTIVITY PLANNED BY SCHOOL STAFF AND SUPERVISED BY SCHOOL PERSONNEL.

B. SOCIAL EVENT - MEANS ANY SCHOOL-SPONSORED SOCIAL FUNCTION INCLUDING, BUT NOT LIMITED TO, CLASS OR SCHOOL PARTIES, DANCES, PROMS, AND RECEPTIONS.

C. PRINCIPAL – MEANS THE PRINCIPAL OF THE SCHOOL SPONSORING THE EVENT OR HIS OR HER DESIGNATED ADMINISTRATOR

III. GUIDELINES

A. ALL SOCIAL EVENTS SHALL BE APPROVED BY THE PRINCIPAL PRIOR TO BEING SCHEDULED AND ANNOUNCED.

[All activities sponsored by a school shall be under the direct supervision and control of the school. The principal, therefore, must assume the responsibility of assuring that adequate measures are taken for the safety and control of students at these activities.]

B. ALL SOCIAL EVENTS SHALL BE HELD IN THE SCHOOL. ANY EXCEPTIONS SHALL BE APPROVED BY THE PRINCIPAL.

C. HIGH SCHOOL DANCES, INCLUDING PROMS, SHALL BE HELD IN THE SCHOOL, UNLESS THE SCHOOL FACILITY IS NOT AVAILABLE DUE TO BUILDING SYSTEM FAILURE OR OTHER EMERGENCY. HIGH SCHOOL PRINCIPALS, AFTER A CAREFUL EVALUATION OF ALTERNATIVES, INCLUDING BUT NOT LIMITED
TO SPACE AVAILABILITY AT THE HOME SCHOOL, COST, SECURITY, STUDENT SAFETY, ARE PERMITTED TO CONDUCT A PROM AT AN OFF-CAMPUS FACILITY.

1. GUIDELINES FOR SAFETY FOR OFF-CAMPUS PROMS ARE TO BE DEVELOPED BY THE PRINCIPAL AND SHALL INCLUDE, BUT NOT BE LIMITED TO, SUCH CONTROLS AS:
   a. CHAPERONES – SCHOOL STAFF AND PARENTS;
   b. SECURITY – SCHOOL RESPONSIBILITY;
   c. TRAVEL ARRANGEMENTS – PARENT RESPONSIBILITY;
   d. NOTICE OF ESSENTIAL DETAILS, INCLUDING GUESTS OF STUDENTS – SCHOOL RESPONSIBILITY;
   e. DISRUPTIVE BEHAVIOR MANAGEMENT – SCHOOL RESPONSIBILITY.

2. ALL CONTRACTS, LEASES, AND AGREEMENTS FOR SERVICES AND NON-BCPS VENUES MUST BE APPROVED IN ACCORDANCE WITH BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) POLICY AND SCHOOL SYSTEM RULES AND PROCEDURES. THE PRINCIPAL SHALL BE THE SIGNATORY ON ALL SUCH CONTRACTS AND AGREEMENTS.

3. ALL CONTRACTS, LEASES, AND AGREEMENTS FOR SERVICES SHALL BE REVIEWED BY THE OFFICE OF RISK MANAGEMENT TO ENSURE THAT APPROPRIATE LIABILITY INSURANCE COVERAGE IS INCLUDED TO PROTECT THE INTERESTS OF THE SCHOOL SYSTEM.

4. HIGH RISK ACTIVITIES MUST BE SUBMITTED FOR REVIEW AND APPROVED BY THE OFFICE OF RISK MANAGEMENT PRIOR TO ENTERING INTO ANY CONTRACT OR AGREEMENT.

D. THE COLLECTION OF ALL FUNDS FOR SOCIAL EVENTS SHALL BE IN ACCORDANCE WITH THE ACCOUNTING MANUAL FOR SCHOOL ACTIVITY FUNDS, AS WELL AS BOARD POLICY AND SCHOOL SYSTEM RULES AND PROCEDURES.

   [Facilities in nearly all schools make it possible to accommodate virtually all social activities within the school. Scheduling activities within the school provides the optimum situation for planning measures for effective supervision to ensure safety and student control. Therefore:]

IV. PROCEDURES

A. [1.] The use of class time for instructional purposes [should] SHALL be
given primary consideration and SOCIAL EVENTS, GENERALLY, [student activities] shall NOT [ordinarily not] be held during school hours. [Principal approved small-scale classroom parties on special occasions are acceptable exceptions.]

B. [2. Student] Social EVENTS [activities] should be scheduled so THEY DO [as] not NEGATIVELY IMPACT [to work a deleterious effect on] student achievement and the instructional program.

C. NO [A] social event SHALL BE APPROVED IF THE SOCIAL EVENT IS PLANNED [should not occur on] FOR the evening before ANY STATE-MANDATED TEST OR the administration of the SAT/PSAT, ACT, ADVANCED PLACEMENT, or ANY other BCPS APPROVED [major testing situations] ASSESSMENT.

1. PRINCIPALS SHOULD REVIEW THE MARYLAND STATE DEPARTMENT OF EDUCATION STUDENT TESTING CALENDAR AND CONSULT WITH THE DEPARTMENT OF RESEARCH, ACCOUNTABILITY, AND ASSESSMENT BEFORE SCHEDULING ANY SCHOOL-SPONSORED SOCIAL EVENT.

[3. All high school student social activities shall be held on school property, with one exception: i.e., one end-of-the-year social activity seniors may be held in a private setting off school property with the approval of the principal.]

D. SOCIAL EVENTS SHALL NOT BE SCHEDULED ON SCHOOL SYSTEM OR OTHER FEDERAL HOLIDAYS. FOR THE PURPOSE OF THIS RULE, HOLIDAYS BEGIN AT SUNSET ON THE DAY PRECEDING THE HOLIDAY.

V. BEHAVIOR

A. STUDENTS AND THEIR GUESTS ARE RESPONSIBLE FOR MAINTAINING APPROPRIATE BEHAVIOR AT ALL SOCIAL EVENTS.

B. STUDENT BEHAVIOR

1. STUDENTS MUST FOLLOW THE CODE OF CONDUCT AS OUTLINED IN THE BCPS STUDENT HANDBOOK AND ARE SUBJECT TO DISCIPLINARY ACTION FOR ANY BEHAVIORAL OFFENSES COMMITTED DURING A SOCIAL EVENT.

2. LAW ENFORCEMENT OFFICIALS WILL BE NOTIFIED AND PARENTS WILL BE CALLED IN ALL CASES INVOLVING THE POSSESSION, USE, OR DISTRIBUTION OF ALCOHOL OR
DRUGS, WEAPON VIOLATION, ASSAULT, OR ANY SERIOUS INFRACTION COMMITTED AT A SOCIAL EVENT.

C. GUEST BEHAVIOR

1. PRINCIPALS ARE AUTHORIZED TO REFUSE ADMISSION TO, OR EJECT FROM, ANY SOCIAL EVENT ANY INVITED GUEST WHO APPEARS TO BE INTOXICATED OR UNDER THE INFLUENCE OF DRUGS, WHO IS CONDUCTING HIMSELF OR HERSELF IN AN IMPROPER OR DISORDERLY MANNER, OR FOR ANY OTHER REASON AS DEEMED NECESSARY BY THE PRINCIPAL.

2. LAW ENFORCEMENT OFFICIALS MAY BE NOTIFIED AT THE DISCRETION OF THE PRINCIPAL SHOULD SUCH INTERVENTION AS A RESULT OF GUEST BEHAVIOR BE DEEMED NECESSARY.

RELATED POLICIES: BOARD OF EDUCATION POLICY 3125, SCHOOL ACTIVITY FUNDS
BOARD OF EDUCATION POLICY 3160, SCHOOL-SUPPORTED ACTIVITIES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICY 5500, CONDUCT
BOARD OF EDUCATION POLICY 5530, STUDENT USE AND POSSESSION OF TOBACCO
BOARD OF EDUCATION POLICY 5540, ALCOHOLIC BEVERAGES AND DRUGS
BOARD OF EDUCATION POLICY 5550, DISRUPTIVE BEHAVIOR

Rule
Adopted: 11/21/68
REVISED: __________

Superintendent of Schools
INSTRUCTION: Schedules

[Unplanned or] Emergency Closures, DELAYS, AND CANCELLATIONS

I. PURPOSE

IN BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS), THE DECISION TO CLOSE SCHOOLS OR TO DELAY THE INSTRUCTIONAL DAY SHALL BE MADE BY THE SUPERINTENDENT. THE DECISION IS BASED ON STUDENT SAFETY AND THE ABILITY TO EFFECTIVELY DELIVER THE EDUCATIONAL PROGRAM AND ANY OTHER CONSIDERATION DEEMED RELEVANT BY THE SUPERINTENDENT. THIS RULE PROVIDES GUIDELINES FOR THE EFFECTIVE MANAGEMENT OF SCHOOLS AND RELATED ACTIVITIES WHEN A DECISION HAS BEEN MADE TO CLOSE A SCHOOL OR DELAY OPENING AS THE RESULT OF INCLEMENT WEATHER OR OTHER EMERGENCIES.

II. PROCESS

A. INCLEMENT WEATHER CLOSINGS AND DELAYS

1. THE DIRECTOR OF THE OFFICE OF TRANSPORTATION (TRANSPORTATION) SHALL BE RESPONSIBLE FOR RECOMMENDING TO THE SUPERINTENDENT THAT INDIVIDUAL SCHOOLS OR ALL SCHOOLS BE CLOSED DUE TO INCLEMENT WEATHER.

2. THE DEPARTMENT OF PHYSICAL FACILITIES WILL PROVIDE ON-SITE ASSESSMENT REGARDING THE CONDITIONS OF SCHOOL BUILDINGS AND GROUNDS.

B. SCHOOL CLOSINGS IN THE EVENT OF BUILDING SYSTEM FAILURE

1. IN THE EVENT OF A BUILDING SYSTEM FAILURE (INCLUDING, BUT NOT LIMITED TO, ELECTRIC, PLUMBING, WATER, GAS), THE SCHOOL PRINCIPAL SHALL FOLLOW THE PROTOCOLS OUTLINED IN THE CRITICAL RESPONSE AND SCHOOL EMERGENCY SAFETY MANAGEMENT GUIDE.

2. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PHYSICAL FACILITIES (FACILITIES) SHALL BE RESPONSIBLE FOR ASSESSING THE CONDITIONS AND MAKING A RECOMMENDATION TO THE DEPUTY SUPERINTENDENT OR CHIEF OF STAFF ON WHETHER A SCHOOL OR SCHOOLS SHOULD BE CLOSED.
3. THE DEPUTY SUPERINTENDENT OR CHIEF OF STAFF WILL CONSULT WITH THE SUPERINTENDENT, WHO WILL DECIDE WHETHER TO CLOSE A SCHOOL OR SCHOOLS. 
a. THE DEPUTY SUPERINTENDENT OR THE CHIEF OF STAFF WILL NOTIFY THE DIRECTOR OF TRANSPORTATION OF ANY DECISIONS TO CLOSE OR DELAY OPENING OF ANY SCHOOL(S). 

C. TRANSPORTATION WILL COORDINATE DIRECTLY WITH THE AFFECTED SCHOOL OR SCHOOLS TO ESTABLISH DISMISSAL TIMES AND PROCEDURES.

III. ANNOUNCEMENTS

A. TRANSPORTATION IS RESPONSIBLE FOR INITIATING ALL SCHOOL CLOSING ANNOUNCEMENTS, INCLUDING SYSTEMWIDE AND MEDIA NOTICES.

1. SCHOOL CLOSINGS WILL BE:
a. POSTED ON THE SCHOOL SYSTEM’S WEB PAGE;
b. PLACED ON THE SCHOOL SYSTEM’S INFORMATION TELEPHONE LINE (410-887-5555) AND THE BCPS EDUCATION CHANNEL; AND 
c. PROVIDED TO LOCAL RADIO AND TELEVISION STATIONS.

2. USE OF A SYSTEMWIDE CONNECT-ED MESSAGE MAY BE GENERATED, AS DETERMINED BY THE SUPERINTENDENT.

B. WHENEVER POSSIBLE, MORNING DECISIONS TO CLOSE OR DELAY SCHOOL WILL BE MADE BY 5:30 A.M. AND COMMUNICATED TO MEDIA OUTLETS.

C. IF SCHOOLS ARE CLOSING ONE OR TWO HOURS EARLY, WHENEVER POSSIBLE, THE ANNOUNCEMENT WILL USUALLY BE MADE BY 10:30 A.M.

D. IF SCHOOLS MUST CLOSE THREE HOURS EARLY, WHENEVER POSSIBLE, THE ANNOUNCEMENT WILL USUALLY BE MADE BY 10:00 A.M.

IV. GUIDELINES

A. CLOSING SCHOOLS FOR THE DAY FOR INCLEMENT WEATHER - WHEN INCLEMENT WEATHER REQUIRES THAT ALL SCHOOLS BE CLOSED, THE CLOSURES WILL AFFECT PROGRAMS AS FOLLOWS:
1. ALL BEFORE- AND AFTER-SCHOOL ACTIVITIES AND SCHOOL-SPONSORED EVENTS ARE CANCELLED.
2. EVENING HIGH SCHOOL CLASSES ARE CANCELLED.
3. ALL BEFORE- AND AFTER-SCHOOL CHILD CARE PROGRAMS ARE CANCELLED.
4. ALL BCPS SCHOOL-BASED STAFF MEETINGS AND PROFESSIONAL DEVELOPMENT ACTIVITIES SCHEDULED IN SCHOOLS ARE CANCELLED.
5. ALL PLANNED USE OF FACILITIES AND GROUNDS BY NON-BCPS ORGANIZATIONS ARE CANCELLED.
6. STUDENT PARTICIPATION IN STATE AND REGIONAL EVENTS SCHEDULED OUTSIDE OF BCPS FACILITIES:
   a. THE PRINCIPAL SHALL CONTACT HIS/HER RESPECTIVE ASSISTANT SUPERINTENDENT AND/OR DEPARTMENT HEAD IN CHARGE OF THE ACTIVITY TO DETERMINE WHETHER STUDENTS WILL PARTICIPATE IN THESE APPROVED ACTIVITIES.
   b. THE ASSISTANT SUPERINTENDENT OR DEPARTMENT HEAD IS RESPONSIBLE FOR CONTACTING THE SUPERINTENDENT TO OBTAIN APPROVAL FOR PARTICIPATION IN THE EVENT.

B. DELAYED SCHOOL OPENINGS - IF WEATHER CONDITIONS REQUIRE A DELAYED OPENING OF ONE OR MORE HOURS, THE DELAYS WILL AFFECT PROGRAMS AS FOLLOWS:
1. MORNING PRE-KINDERGARTEN CLASSES ARE CANCELLED.
2. ALL BEFORE-SCHOOL CHILD CARE PROGRAMS ARE CANCELLED.
3. ALL MORNING BCPS STAFF MEETINGS AND PROFESSIONAL DEVELOPMENT ACTIVITIES SCHEDULED IN THE SCHOOL ARE CANCELLED.
4. AFTER-SCHOOL ACTIVITIES AND EVENTS WILL NOT BE AFFECTED BY A DELAYED OPENING.

C. EARLY DISMISSAL DUE TO INCLEMENT WEATHER - IF WEATHER CONDITIONS REQUIRE AN EARLY DISMISSAL OF ONE OR MORE HOURS, THE CLOSURES WILL AFFECT PROGRAMS AS FOLLOWS:
1. AFTERNOON PRE-KINDERGARTEN CLASSES ARE CANCELLED.
2. EVENING HIGH SCHOOL CLASSES ARE CANCELLED.
3. ALL AFTER-SCHOOL CHILD CARE PROGRAMS ARE CANCELLED.
4. ALL BCPS STAFF MEETINGS AND PROFESSIONAL DEVELOPMENT ACTIVITIES SCHEDULED IN SCHOOLS ARE CANCELLED.
5. ALL AFTER-SCHOOL ACTIVITIES AND SCHOOL-SPONSORED EVENTS ARE CANCELLED.
6. ALL PLANNED USE OF FACILITIES BY NON-BCPS ORGANIZATIONS ARE CANCELLED.
7. STUDENT PARTICIPATION IN STATE AND REGIONAL EVENTS SCHEDULED OUTSIDE OF BCPS FACILITIES:
   a. THE PRINCIPAL SHALL CONTACT THE OFFICE HEAD IN CHARGE OF THE ACTIVITY TO DETERMINE WHETHER STUDENTS WILL PARTICIPATE IN THESE APPROVED ACTIVITIES.
   b. THE OFFICE HEAD IN CHARGE OF THE ACTIVITY IS RESPONSIBLE FOR CONFERRING WITH HIS/HER ASSISTANT SUPERINTENDENT OR EXECUTIVE DIRECTOR AND FOR MAKING A RECOMMENDATION ON WHETHER THE SCHOOL SYSTEM WILL PARTICIPATE IN THE EVENT.
   c. THE ASSISTANT SUPERINTENDENT OR EXECUTIVE DIRECTOR IS RESPONSIBLE FOR CONTACTING THE SUPERINTENDENT TO OBTAIN APPROVAL FOR PARTICIPATION IN THE EVENT. THE DECISION OF THE SUPERINTENDENT IS FINAL.

D. EARLY DISMISSAL DUE TO EXTREME HEAT -
   IF A SCHOOL(S) IS DISMISSED ONE OR MORE HOURS EARLY DUE TO EXTREME HEAT, THE CLOSURES WILL AFFECT PROGRAMS SCHEDULED IN ONLY THOSE AFFECTED SCHOOL(S) AS FOLLOWS:
1. AFTERNOON PRE-KINDERGARTEN CLASSES ARE CANCELLED.
2. EVENING HIGH SCHOOL CLASSES ARE CANCELLED.
3. ALL AFTER-SCHOOL CHILD CARE PROGRAMS ARE CANCELLED.
4. ALL BCPS STAFF MEETINGS AND PROFESSIONAL DEVELOPMENT ACTIVITIES SCHEDULED IN THE SCHOOL ARE CANCELLED.
5. THE PRINCIPAL WILL CONSULT WITH THE OFFICE OF ATHLETICS TO DETERMINE WHETHER BCPS-SPONSORED ATHLETIC EVENTS SHALL BE CANCELLED.

6. ALL PLANNED USE OF FACILITIES BY OUTSIDE ORGANIZATIONS SHALL BE CANCELLED.
   a. THE PRINCIPAL WILL CONSULT WITH THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS TO DETERMINE WHETHER ATHLETIC EVENTS SCHEDULED IN THE SCHOOL’S GYMNASIUM OR ON ITS ATHLETIC FIELDS SHOULD BE CANCELLED.

E. SCHOOL CLOSINGS RESULTING FROM A BUILDING SYSTEM FAILURE OR OTHER EMERGENCY EVENT
   1. IF AN INDIVIDUAL SCHOOL IS CLOSED FOR THE ENTIRE DAY OR DISMISSED EARLY BECAUSE OF A BUILDING SYSTEM FAILURE OR OTHER EMERGENCY EVENT, THE CLOSURES WILL AFFECT SCHEDULED ACTIVITIES AS FOLLOWS:
      a. ALL SCHOOL-SPONSORED ACTIVITIES AND NON-SCHOOL RELATED EVENTS SCHEDULED IN THE AFFECTED BUILDING ARE CANCELLED.
      b. ALL CHILD CARE PROGRAMS ARE CANCELLED.

F. CANCELLATION OF WEEKEND ACTIVITIES DUE TO INCLEMENT WEATHER
   1. IF WEATHER CONDITIONS REQUIRE THAT SCHOOL CLOSURES OR EARLY DISMISSAL ON THE FRIDAY IMMEDIATELY PRECEDING A SCHEDULED WEEKEND ACTIVITY ALL SCHEDULED ACTIVITIES SHALL BE CURTAILED UNTIL SUCH TIME THAT ALL DRIVEWAYS, PARKING LOTS, SERVICE AREAS, AND WALKWAYS ARE CLEARED AND THE SNOW EMERGENCY PLAN IS LIFTED FOR BALTIMORE COUNTY. THE FOLLOWING ACTIVITIES MAY BE AFFECTED:
      a. BCPS-SPONSORED ACTIVITIES
         (1) THE EXECUTIVE DIRECTOR OR OFFICE HEAD WITH OVERSIGHT OF THE SCHEDULED ACTIVITY SHALL CONSULT WITH TRANSPORTATION TO DETERMINE IF WEATHER CONDITIONS WARRANT CANCELLATION OF THE APPROVED ACTIVITY.
RULE 6303

(2) TRANSPORTATION WILL MAKE A RECOMMENDATION TO THE SUPERINTENDENT ON WHETHER A WEEKEND ACTIVITY SHALL BE CANCELLED. THE DECISION OF THE SUPERINTENDENT IS FINAL.

b. PLANNED USE OF FACILITIES BY NON-BCPS ORGANIZATIONS ARE CANCELLED.

c. IN THE EVENT THAT THE SNOW EMERGENCY PLAN IS LIFTED OVER THE WEEKEND, THE DEPARTMENT OF RECREATION AND PARKS SHALL CONSULT WITH THE DEPARTMENT OF PHYSICAL FACILITIES TO DETERMINE WHETHER ITS PLANNED USE OF FACILITIES MAY OCCUR.

G. CLOSING OF SCHOOL FACILITIES IN THE EVENING DUE TO INCLEMENT WEATHER, WHEN SCHOOLS WERE NOT CLOSED OR DISMISSED EARLY DURING THE DAY.

1. TRANSPORTATION WILL MAKE A RECOMMENDATION TO THE SUPERINTENDENT ON WHETHER EVENING PROGRAMS SHALL BE CANCELLED.

V. SPECIAL PROVISIONS FOR ELEMENTARY AND SPECIAL SCHOOLS

A. THE FOLLOWING DISMISSAL PROCEDURES SHALL APPLY WHEN A SINGLE ELEMENTARY OR SPECIAL SCHOOL CLOSES EARLY

1. THE PRINCIPAL WILL MAKE EVERY ATTEMPT TO CONTACT THE STUDENT’S PARENT OR EMERGENCY CONTACT OF EACH CHILD AND NOTIFY HIM/HER OF THE EARLY CLOSURE.

2. THE PRINCIPAL IS RESPONSIBLE FOR ENSURING THAT ALL STUDENTS ARE RELEASED IN ACCORDANCE WITH THE STUDENT’S EMERGENCY INFORMATION.

[No school, office, or system event cancellation or delay will be made without the direct authorization of the Superintendent of Schools.

1. Announcements

When the Superintendent decides it is necessary to delay opening or close any facility or school or cancel any system event, the Office of Transportation will initiate all related communications to the public. The Office of Transportation
will contact the media, the BCPS website, BCPS Channel 73, and the Office of Communications for all emergency closing announcements. The Office of Communications will post all emergency closing information on the BCPS automated information line, 410-887-5555. Periodically throughout the year, the Office of Communications will advise students, parents, and employees to listen for emergency closing announcements on local media, the BCPS website, and the BCPS information line and not to call the school, the central office, or the radio or television stations.

2. Absences Due to Unplanned or Emergency Closures

If 12-month administrative and 12-month clerical personnel who are required to be on duty are absent due to inclement weather, such absence shall result in the loss of a personal business day, salary deduction, or in the case of employees who accrue vacation, the option of charging this absence to accrued vacation days. The procedure for classified personnel is covered in Policy 4270.

3. Delayed Opening of Schools

The Superintendent may delay the opening of schools upon determining that weather conditions are such that it appears extremely hazardous to operate school buses at the regular early morning hours, but that travel conditions will appreciably improve later in the morning. The public announcement will report the delayed opening and bus schedules, including the cancellation of morning kindergarten and morning pre-kindergarten if the delay is more than one hour. School opening times will be delayed accordingly. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement.

In this instance, personnel shall act as follows:

a. All 12-month employees shall be expected to report to work at the regular time.

b. Teachers, instructional assistants, paid helpers, personal assistants, and 10-month clerical employees may arrive at the delayed time.

Schools and offices shall close on the regular schedules. After-school activities and events will not be affected by a delayed opening.

4. Closing of Schools Only for the Entire Day
When the Superintendent determines that weather or other conditions exist or will develop that would make it unwise to open one or more schools any time during the day, the announcement communicated to radio and television stations shall state, “Baltimore County Public Schools are closed.” The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement.

In this instance, personnel shall act as follows:

a. Administrative and 12-month clerical personnel shall report to the school on the regular schedule in order to open the school office for its normal function.

b. All central offices will be open, and employees are expected to report to work on the regular schedule.

c. For additional information regarding classified employees, see Policy 4270.

d. All after-school activities and events will be cancelled.

5. Early Closings of Schools

a. All Schools

Weather or other conditions may develop while schools are in session that may require that schools be closed early. When the Superintendent determines that schools will be closed early, all schools shall be notified by telephone, emergent Superintendent’s bulletin, radio and television stations, the website, and Channel 73. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement. The closing time will be set in relation to the regular closing time of each school, and the announcement will indicate “all Baltimore County Public Schools will close ___ hour(s) earlier than the normal closing time.” All schools must close in accordance with this announcement in order to coordinate transportation and so that parents may know when to expect children to arrive at home. Principals shall adjust school schedules, including lunch, in order to dismiss at the announced time.

Except for heat related closings, all after-school activities and events will be cancelled.
In the case of heat-related closings, school, church, community, and Recreation and Parks will determine whether or not to hold afternoon and evening activities based upon the availability of air-conditioned facilities. The local school administration and the Department of Physical Facilities will make this decision for school and community activities; the Department of Recreation and Parks will make this decision for their activities; the Coordinator for Athletics in the Baltimore County Public Schools will be consulted on decisions involving the cancellation of interscholastic events.

The Office of Transportation is responsible for contacting the media for the emergency closing announcement.

b. Selected Schools

Conditions may develop during the school day which makes it advisable to close certain schools while the majority of schools remain in session. The decision to close schools on an individual basis shall be made by the Superintendent upon the request of the Deputy Superintendent(s). Any principal who feels that his/her school should be closed during the school day shall consult with the Department of Physical Facilities and the Office of Transportation and discuss the matter. The Executive Director of Physical Facilities and the Director of Transportation will advise the Deputy Superintendent(s) before a final request is made to the Superintendent. In these cases, it shall be necessary to coordinate this closing with other schools which use the same buses.

Principals of elementary schools shall implement procedures to ensure that the parents or guardians of each child are contacted and are aware of the impending closure. If a parent or guardian is not reached to confirm the dismissal, elementary children shall remain with school personnel at the school. The Principal must be able to account for what dismissal arrangements have been made for each child in the affected school.

A public announcement of the closing of the affected schools will be made. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement.

Each school is responsible for ensuring that every parent/guardian completes the emergency dismissal form and returns it promptly to the
school at the beginning of every school year. Each school should encourage parents/guardians to discuss the emergency plan with their children so that children know what emergency procedures they are to follow in the case of an unexpected school closing. In view of this, the decision to close a few schools shall be weighed carefully and kept to a minimum.

All after-school activities and events in the affected building(s) will be cancelled.

6. Afternoon and Evening Program Cancellations

When schools are open to the end of the school day, but weather or other conditions deteriorate in the late afternoon, the Superintendent may decide to cancel afternoon and evening programs. Schools and offices should plan and communicate alternate dates and times to hold programs or events.

a. Afternoon and Evening Closings

When schools are open to the end of the school day, but weather or other conditions deteriorate in the late afternoon, the Executive Directors of Departments and offices that operate evening activities will consult with the Office of Transportation and the Department of Physical Facilities to review the weather conditions and make a recommendation to the Deputy Superintendent(s) regarding closing facilities or canceling events. This recommendation will typically be based on the announcement that the Baltimore County snow emergency plan is in effect or will be going into effect during the time of an event. Upon the request of the Deputy Superintendent(s), the Superintendent will make a decision regarding canceling afternoon programs or events by 1:30 p.m. and evening programs or events by 4:00 p.m. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement and will announce: “Baltimore County Public School afternoon and evening programs will be cancelled.”

7. Weekend Closings

When weather or other conditions are predicted or develop that would make it hazardous to operate weekend programs or events, the Executive Directors of Departments and offices that operate weekend activities will consult with the Office of Transportation and the Department of Physical Facilities to review the
weather conditions and make a recommendation to the Deputy Superintendent(s) regarding cancellations. This recommendation will typically be based on the announcement that the Baltimore County snow emergency plan is in effect or will be going into effect during the time of an event. Upon the request of the Deputy Superintendent(s), the Superintendent will make a decision regarding canceling weekend programs or events. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement and will announce: “All Baltimore County Public School weekend events are cancelled.” This notification will normally be made by 6:30 a.m.

If snow emergency plans are lifted during the weekend, opening of the facility will be contingent on the clearing of parking lots and sidewalks. The local school administrator and the Department of Physical Facilities will make a recommendation to the Deputy Superintendent(s) regarding whether or not to open for school activities. Upon the request of the Deputy Superintendent(s), the Superintendent will make a decision regarding opening of facilities. The Department of Recreation and Parks, in consultation with the Department of Physical Facilities, will make the decision for recreational programs.

8. Closing of the School System

When weather conditions are such that all travel is extremely hazardous, the Superintendent may decide to close the entire school system. The Office of Transportation is responsible for initiating all communications with the public regarding the emergency closing announcement and will announce, “All Baltimore County Public Schools and offices are closed.”

In this case, only specifically designated essential personnel required to maintain the facilities and equipment shall report to work. The Department of Human Resources will notify the appropriate employees of their status as essential personnel on an annual basis.

9. Use of School Buildings

On days when schools are closed for inclement weather or other unplanned emergencies, all planned use of the school facilities, including after-school activities, evening classes, professional staff meetings, Board meetings, and other countywide school system events will be canceled.

10. Snow Removal
The Department of Physical Facilities will coordinate snow removal with the Baltimore County Government.

11. Emergency Conditions

The Deputy Superintendents are to be advised by site-based personnel or the Department of Physical Facilities of any emergency conditions which exist on school grounds.

RELATED POLICIES: BOARD OF EDUCATION POLICY 1300, USE OF FACILITIES
BOARD OF EDUCATION POLICY 4009, EMERGENCY CLOSINGS – EMPLOYEE ATTENDANCE

Rule
Approved: 11/21/68
Revised: 02/09/84
Revised: 03/26/02
Revised: 03/22/05
REVISED: __________

Superintendent of Schools