MEETING OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

OPEN SESSION

Tuesday, February 11, 2003
4:30 P.M.-Closed Session, 7:30 P.M.-Open Session
Educational Support Services Building

I. PLEDGE OF ALLEGIANCE

II. SILENT MEDITATION IN REMEMBRANCE

III. AGENDA

Consideration of the agenda for Tuesday, February 11, 2003

IV. MINUTES

Consideration of the open and closed session minutes of January 14, 2003 Exhibit A

V. SUPERINTENDENT'S REPORT

VI. RECOGNITION OF ADMINISTRATIVE APPOINTMENT FROM JANUARY 28, 2003 (Mr. Grimsley)

VII. REPORTS

A. Report on Proposed Revisions to Telecommunications Policies and Rules 4006 and 6166 (First Reading) (Mr. Boone) (Ms. Curtis) Exhibit B

B. Budget Work Session Review (Ms. Burnopp) Exhibit B-1

VIII. NEW BUSINESS

A. Consideration of consent to the following personnel matters: (Mr. Grimsley)

1. Retirements Exhibit C
2. Resignations Exhibit D
3. Leaves of Absence Exhibit E
4. Deceased Exhibit F

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

1. Contracted Services: Burner PM, Installation, and Repair Exhibit G

VIII. NEW BUSINESS (Cont.)

2. Contracted Services: Regulated Waste Processing and Disposal

3. Custodial Floor Care Products

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

1. Bus Loop Canopy – Pikesville Middle School Exhibit H

2. Fee Acceptance – Design Services for Renovation Projects – Deer Park, Hernwood, Sandy Plains, Timber Grove, and Winfield Elementary Schools Exhibit I

3. Fee Acceptance – Design Services for Renovation Projects – Owings Mills, Wellwood, and Westowne Elementary Schools Exhibit J

4. Fee Acceptance – Design Services for Major Maintenance Renovation Projects – Logan, Pinewood, Red House Run, and Seneca Elementary Schools Exhibit K

5. Request to Negotiate – On-Call Reroofing Design Services – Various Schools Exhibit L

6. Construction Manager at Risk – Maiden Choice School Exhibit M

7. Increase Contingency Allocation – Sandy Plains Elementary School Exhibit N

8. Change Order – Design Services for Science Room Renovations – Woodlawn High School Exhibit O

D. Consideration of Resolution for Scheduling of Athletic Events (exhibit to follow) (Mr. Teplitzky) Exhibit P

E. Consideration of school legislation (exhibit to follow) (Dr. Poff) Exhibit R

IX. INFORMATION

Minutes of the Southwest Area Educational Advisory Council meeting, January 15, 2003 Exhibit S

X. ANNOUNCEMENTS

Next Board Meeting Wednesday, February 26, 2003
7:30 P.M. Greenwood

TENTATIVE MINUTES

BOARD OF EDUCATION OF BALTIMORE COUNTY, MARYLAND

Tuesday, January 14, 2003

The Board of Education of Baltimore County, Maryland, met in open session at 3:55 p.m. at Greenwood. President Donald L. Arnold and the following Board members were present: Ms. Sarah D. Bormel, Ms. Phyllis E. Ettinger, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Mr. James R. Sasiadek, Mr. Sanford V. Teplitzky, and Mr. James E. Walker. In addition, J. Robert Haines, Esquire, Deputy Superintendent for Business Services, and staff members were present.

In addition to the above listed Board members, also in attendance were Margaret-Ann F. Howie, Esquire, Legal Counsel to the Superintendent; Carol Saffran-Brinks, Assistant County Attorney, and Ms. Denise Zepp, Administrative Assistant to the Board of Education.

The record was opened in Hearing Examiner's Case #01-38. The Appellant did not appear, and the Board voted to dismiss the case. The record was closed at 4:02 p.m.

Mr. Grzymski entered the room at 4:15 p.m.

On motion of Mr. Walker, seconded by Ms. Ettinger, the Board voted to permit Sarah Bormel to participate in discussions relative to negotiations.

At 4:55 p.m., Mr. Sasiadek moved the Board go into closed session to discuss personnel matters, consult with counsel to obtain legal advice, consult with counsel about potential litigation, and to discuss matters relative to negotiations pursuant to the Annotated Code of Maryland, State Government Article, §10-508 (a)(1), (a)(7), (a)(8), and (a)(9). The motion was seconded by Mr. Kennedy and unanimously approved by the Board.

CLOSED SESSION MINUTES

Mr. Grimsley reviewed the appointment on tonight's agenda.

Mr. Grimsley and Mr. Capozzi provided Board members a status report on negotiations.

Ms. Saffran-Brinks advised the Board of a proposed settlement.

Ms. Saffran-Brinks offered legal advice on a matter dealing with potential litigation.

At 5:52 p.m., Mr. Sasaiadek moved to adjourn the closed session for a brief dinner recess. The motion was seconded by Mr. Kennedy and approved by the Board.

The Board hosted members of the Citizens Advisory Committee for Special Education for dinner.

OPEN SESSION MINUTES

The Board of Education of Baltimore County, Maryland, reconvened in open session at 7:33 p.m. at Greenwood. President Donald L. Arnold and the following Board members were present: Ms. Sarah D. Bormel, Ms. Phyllis E. Ettinger, Mr. Thomas G. Grzymski, Mr. John A. Hayden, III, Dr. Warren C. Hayman, Ms. Jean M. H. Jung, Mr. Michael P. Kennedy, Ms. Janese Murray, Mr. James R. Sasiadek, Mr. Sanford V. Teplitzky, and Mr. James E. Walker. In addition, Dr. Joe A. Hairston, Superintendent of Schools; staff members; members of various civic, employee, and community organizations were present as was the media.

PLEDGE OF ALLEGIANCE

The open session commenced with the Pledge of Allegiance to the Flag, which was led by Ryan Speigle, a graduate of Pikesville High School, and a period of silent meditation for those who have served education in the Baltimore County Public Schools.

MINUTES

Hearing no additions or corrections to the open and closed session minutes of December 3, 2002, Mr. Arnold declared the minutes approved as presented on the web site.

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

SUPERINTENDENT'S REPORT

Dr. Hairston announced that the Essex-Middle River Chamber of Commerce recognized a number of schools on the county's east side last Friday night.

Dr. Hairston also recognized Board President Donald Arnold as the recipient of the Valued Hours Award by the Fullwood Foundation this past Saturday morning.

RECOGNITION OF APPOINTMENTS

Mr. Grimsley recognized Arlene Fleischmann, whose appointment to Director of the Department of Professional Development was approved at the December 17th meeting. Mr. Grimsley also recognized Amanda Adelaide Rodrigues Smith, whose appointment to the Southwest Area Educational Advisory Council was also approved on December 17th. Ms. Phyllis Edmonds was also recognized. Her appointment to EEO and Compliance Officer was approved November 18th.

OLD BUSINESS

On motion of Mr. Kennedy, seconded by Dr. Hayman, the Board approved the revisions to Policy 3121 – Funds.

OLD BUSINESS (Cont.)

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved the revisions to Policy 3123 – Reporting.

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved the revisions to Policy 3131 – External Audit.

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved the revisions to the*Blueprint for Progress* .

Mr. Kennedy thanked Ms. Johns and Ms. Audette for the positive way changes and suggestions were implemented after recent Board meetings.

Mr. Teplitzky stated the *Blueprint* will guide the Board in policy decisions and in reviewing the budget.

REPORT

The Board received the following report:

Presentation of the Proposed Operating Budget for the Baltimore County Public Schools for Fiscal Year 2004—The total general fund request for FY 2004 is $856,900,741, a 6% increase over FY 2003. Highlights of the Superintendent's budget proposal include:

- Expanding half-day kindergarten programs to full-day at 10 elementary schools,
- Reducing the student-teacher ratio in all K-2 classrooms,
- Two (2) FTE's, materials, and other resources for the development of identified gifted and talented children in 20 Title I schools,
- High quality professional development opportunities for special education, mathematics, and technology teachers,
- An increase in the hourly rates for evening high school teachers,
- Step increases for employees, and
- Implementation of an Army JROTC program at Patapsco High School.

Mr. Arnold announced the Board would conduct a public hearing on the proposed budget on January 29th and conduct a work session on February 4th. There will be an additional opportunity for public comment at the February 11th meeting with a vote expected on February 26th.

Several Board members suggested the inclusion of salary increases for employees. Mr. Grzymski suggested looking at the issue of reimbursement.

REPORTS (Cont.)

Dr. Hayman noted the difficult economic times we face and stated the school system will need to do more with less.

Mr. Arnold thanked the Board and staff for their hard work in preparing the budget request. Dr. Hairston recognized the staff members who worked to develop the budget.

PERSONNEL MATTERS

On motion of Mr. Kennedy, seconded by Ms. Ettinger, the Board approved the personnel matters as presented on Exhibits G, H, I, J, and K. (Copies of the exhibits are attached to the formal minutes.)

CONTRACT AWARDS

Mr. Teplitzky pulled item 2. On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved items 1 and 3.

1. Diplomas, Diploma Covers, and Certificates

3. Moving/Relocating Modular Classrooms

Item 2

On motion of Mr. Kennedy, seconded by Mr. Walker, the Board approved item 2. Mr. Teplitzky abstained from discussion and voting on this item.

2. Leasing Portable Modular Classrooms

CONTINGENCY INCREASE

On motion of Mr. Kennedy, seconded by Mr. Sasiadek, the Board agreed to an increase in the contingency for the major maintenance renovation project at Chadwick Elementary School.

REVISED FISCAL YEAR 2004 STATE AND COUNTY CAPITAL BUDGET REQUEST

Mr. Teplitzky moved approval of the Revised Fiscal Year 2004 State and County Capital Budget Request. The motion was seconded by Mr. Kennedy.

With respect to Featherbed Lane Elementary School, Mr. Kennedy inquired about the plan for the road. Dr. Krempel noted that this work appears on page 2 at a cost of $225,000.

REVISED FISCAL YEAR 2004 STATE AND COUNTY CAPITAL BUDGET REQUEST (Cont.)

The new road will provide a drop-off point and relieve congestion and safety concerns. Dr. Krempel noted that the school staff is positive about the new road.

Ms. Ettinger urged other Board members to attend the IAC appeal hearing on January 22nd. She stated that Board absence or presence will be noted.

Mr. Arnold thanked County Executive Smith and his staff for their diligence in fighting for our county and for stressing the importance of what is needed in these difficult times. He stated he looks forward to continue working with Mr. Smith.

The Board approved the revised fiscal year 2004 County and State Capital Budget recommendations.

ANNOUNCEMENTS

Mr. Arnold made the following announcements:

- On Wednesday, January 15, 2003, the Southwest Area Educational Advisory Council will meet at Woodmoor Elementary School at 7:30 p.m.

- Schools and offices will be closed on Monday, January 20, 2003, in observance of Martin Luther King, Jr.'s birthday.

- The next regularly scheduled meeting of the Board of Education of Baltimore County will be held on Tuesday, January 28, 2003, at Greenwood. The meeting will begin with an open session at 4:30 p.m. After the Board adjourns to meet in closed session, followed by a brief dinner recess, the open meeting will reconvene at approximately 7:30 p.m. The public is welcome to all open sessions. Mr. Arnold noted that the Board is scheduled to meet with area advisory councils during the dinner hour.

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

PUBLIC COMMENT

Ms. Amethyst Danesie, President of the Baltimore County Student Councils (BCSC), commented on the recent successful Middle School Conference. She noted BCSC is planning a trip to Annapolis in February to meet with legislators.

Mr. Kalli Mallik, a representative of the Advisory Group for Alternative Programs, spoke about an afternoon middle school program that serves 145 expelled students. He also spoke

PUBLIC COMMENT (Cont.)

about the Evening and Saturday High Schools that serve expelled, withdrawn, and adult students. Mr. Mallik noted that it is anticipated that about 2,000 students will have attended all three programs by the end of the school year.

Ms. JoLynn Chadwick, Chair of the Advisory Committee for Gifted and Talented Education, noted that at the group's last meeting, Ms. Paynter provided a report on the state of the program. Ms. Chadwick noted there are new parents attending meetings and they are impressed with what is being done. There are some programs that are not specifically directed at the gifted and talented student, but support or complement the gifted and talented program. She noted parents are concerned about an academic atmosphere that is exciting and interesting. These other programs promote that kind of atmosphere. Ms. Chadwick stated that these initiatives do not cost a great amount of money.

Ms. Kelli Nelson, Chair of the Citizens Advisory Committee for Special Education, thanked the Board for hosting the group for dinner this evening. With respect to the implementation of the *No Child Left Behind Act*, she reminded the Board that many special education children are in self-contained, segregated settings. Ms. Nelson stated that while teachers will be required to be highly qualified, the very qualified special education teachers may not be, perhaps, highly qualified in core content areas.

Mr. Carl Bailey, a member of the Citizens Advisory Committee for Special Education, noted the committee was pleased to see additional funding for special education teachers. He shared the group's concern about the significant funding increase for non-public placement. Mr. Bailey also shared the group's interest in the 32.2 FTE's for certificate bound students.

Ms. Maggie Kennedy, Coordinator of the Area Educational Advisory Councils, stated the advisory councils and Coalition members look forward to working together to secure operating funds for the school system. A meeting with the County Executive will be requested. Ms. Kennedy offered the support of the Baltimore County School Coalition at the IAC hearing next week. On January 22, advisory council officers will meet to review councils' progress and to review recommendations and the status of recommendations made last summer. The findings will be shared with the Board on January 28th.

Ms. Meg O'Hare, Chair of the Northeast Area Educational Advisory Council, noted Mr. Lawrence's presentation on the Maryland School Assessment Program at the group's last meeting. She shared an idea for an academic achievement handbook. The handbook would describe expectations for the year and be distributed at the start of school. Ms. O'Hare noted that a few members of the advisory council would be interested in working on this idea. Ms. O'Hare thanked the Superintendent for including a salary increase for Evening High School teachers in the budget. With regard to the proposed JROTC program at Patapsco, Ms. O'Hare noted the success of the JROTC program at Parkville High School.

PUBLIC COMMENT (Cont.)

Ms. Marcella Kehr, President of the Baltimore (County Instructional) Assistants and Clerical Employees (BACE), expressed her disappointment that COLA's and reclassification were not part of the budget request. She urged the Board to be honest with the county officials and the public about the cost of educating our children.

Mr. Clifford Collins, a representative of the Minority Achievement Advisory Group, spoke of a recent meeting at which parents had an opportunity to share concerns with three principals from the Northwest and Southwest Areas. Recommendations will be presented to the Superintendent.

Mr. Michael Franklin, President of the PTA Council of Baltimore County, shared PTA's support of the proposed budget. He expressed his belief that the school system deserves full funding of the budget request. He stated funding authorities need to realize that a world-class education costs money. Mr. Franklin agreed with an earlier comment made by Mr. Kennedy with regard to paying professional staff what they deserve or risk losing them.

Mr. Mark Beytin, President of the Teachers Association of Baltimore County, commented on County Executive James Smith's commitment to education as put forth in his "Blueprint for Education in Baltimore County." Mr. Beytin noted there are many positive proposals in the budget request, and he commended Board members for their desire to raise salaries, but he noted that if negotiations continue to go in the current direction and salary increases for teachers are not part of the budget package, he fears decimation of the teaching force.

There were no speakers to testify on the proposed revisions to Policy 3124 – Accounting and Cash Management.

Dr. George Hohl, representing the Association of Elementary School Administrators (AESA), spoke about three issues. First, Dr. Hohl urged the Board to include in the budget request all of the necessary funds to reach the goals in the *Blueprint for Progress*, as well as to be competitive with other major school systems in the area. The Board was urged to propose the total package needed for the school system to move forward at a faster pace. Second, Dr. Hohl shared AESA's belief that is it time to eliminate the TABCO Teacher Perception Survey. He stated that more positive, productive ways to determine perceptions of parents and school staff could be invaluable. Finally, Dr. Hohl requested that educators at every level be proactive in shaping the implementation of the *No Child Left Behind Act* into a manageable form.

Ms. Pamela Williams, a Randallstown High School parent, noted the overcrowding at the school and requested immediate relief. She also asked for additional time for staff development for the school's teachers.

PUBLIC COMMENT (Cont.)

Ms. Tonya Williams, a Randallstown High School parent, noted the excessive number of false alarms at Randallstown because of crowded hallways and requested the status of work orders to place boxes over the alarms.

Mr. Ellis Barksdale, a Randallstown Elementary School parent, noted the school's renovations are not yet complete, almost a year after the stated completion date. He also suggested the African cultural curriculum start in elementary school.

At 9:42 p.m., Mr. Walker moved to adjourn the open session. The motion was seconded by Mr. Kennedy and approved by the Board.

Respectfully submitted,

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Joe A. Hairston
Secretary-Treasurer

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BALTIMORE COUNTY PUBLIC SCHOOLS

Date: February 11, 2003

To: Board of Education

From: Dr. J. Hairston, Superintendent

Subject: **Telecommunications Policies and Rules 4006 and 6166**
Policy 4006 – Personnel – General
Telecommunications Access to Electronic Information, Services, and Networks
Policy 6166 – Instruction:
Telecommunications Access to Electronic Information, Services, and Networks

Originator: **Christine Johns, Deputy Superintendent, Curriculum & Instruction**

Resource Staff: **Ron Boone, Executive Director, Federal & State Programs**
Della Curtis, Coordinator, Library Media

Recommendation

That the Board of Education will review and approve Telecommunications Policies and Rules 4006 and 6166
Policy 4006 – Personnel – General
Telecommunications Access to Electronic Information, Services, and Networks
Policy 6166 – Instruction:
Telecommunications Access to Electronic Information, Services, and Networks

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Baltimore County Public Schools

Telecommunications

Policies and Rules

Proposed Revision
February 2003

4006 - Personnel - General

Rule 4006 - Personnel - Telecommunications Access to Electronic Information Services, and Networks

FORMS Series 4006

- 4006-A Telecommunications Acceptable Use Policy for Employees
- 4006-B Webmaster Roles and Responsibilities
- 4006-C Electronic Mail Application Form

Policy 6166 - Instruction - Telecommunications Access to Electronic Information Services, and Networks

Rule 6166 - Instruction - Telecommunications Access to Electronic Information, Services, and Networks

FORMS Series 6166

- 6166-A Telecommunications Acceptable Use Policy for Students
- 6166-B Permission to Publish Intellectual Property on the Internet or BCPS Intranet
- 6166-C Parent/Guardian/Student Consent and Release Agreement for an Educational Channel Production
- 6166-D Permission to Publish Student Group Photograph or Video on the Internet or BCPS Intranet
- 6166-E Copyright Permissic Request
- 6166-F Consent and Releas Agreement for the Maryland Interactive Distance Learnin Network

Committee

References

Policy 4006

PERSONNEL – General

Telecommunications Access to Electronic Information, Services, and Networks

The Board of Education of Baltimore County recognizes that as telecommunications and other new technologies change the ways that information may be accessed, communicated, and transferred by members of society, those changes provide new opportunities and responsibilities for employees. The Board supports access by employees to information resources along with the development of appropriate skills to access, evaluate, and use these resources for assignments, projects, or job responsibilities.

FOR THE PURPOSES OF THIS POLICY AND RULE, EMPLOYEES SHALL BE DEFINED AS ANY AND ALL INDIVIDUALS EMPLOYED BY THE BOARD OF EDUCATION OF BALTIMORE COUNTY IN ANY POSITION, INCLUDING PART TIME AND TEMPORARY ASSIGNMENTS. As employees learn to use telecommunications technologies, it is expected they will apply them in appropriate ways to the performance of tasks associated with their responsibilities and positions.

The Board of Education expects that employees will act in a considerate and responsible manner as specified in the Telecommunications Acceptable Use Policy for Employees Form (Series 4006, Form A). All employees are required to sign the Telecommunications Acceptable Use Policy for Employees Form (Series 4006, Form A) prior to using telecommunications in Baltimore County Public Schools.

The Board of Education authorizes the Superintendent to develop appropriate procedures for implementing this policy, to review and evaluate its effect on student achievement and employee productivity, and to develop appropriate discipline procedures.

Also see Board policies, 1100, 1110 Community Relations; 4005, 4115 Personnel; 8363 Ethics Code.

Policy adopted: 6/9/97
REVISED: FEBRUARY 2003

Board of Education
of Baltimore County

Rule 4006

Personnel

Telecommunications Access to Electronic Information, Services, and Networks

A. Baltimore County Public Schools provide computer equipment with telecommunications capabilities to access electronic networks for educational purposes only.

1. Educational purposes are defined as those tasks performed by employees who are directly related to Baltimore County Public Schools' positions, job responsibilities, MISSION, AND GOALS. NO PERSONAL USE OF ANY KIND IS PERMITTED.

2. TELECOMMUNICATIONS REFERS TO AS ANY ELECTRONIC DEVICE THAT USES, MANAGES, CARRIES, OR SUPPORTS AUDIO, VIDEO, OR DATA AND INCLUDES, BUT IS NOT LIMITED TO, INFORMATION TRANSMITTED OR RECEIVED VIA RADIO, TELEVISION, CABLE, MICROWAVE, TELEPHONE, COMPUTER SYSTEMS, NETWORKS, AND FAX MACHINES.

B. THE BALTIMORE COUNTY PUBLIC SCHOOLS' TELECOMMUNICATIONS NETWORK IS A "CLOSED FORUM" FOR SYSTEM USE ONLY AND TO TRANSMIT INFORMATION TO THE PUBLIC. BCPS RESERVES THE RIGHT TO EXERCISE EDITORIAL CONTROL OVER ALL ELECTRONIC PUBLICATIONS AND COMMUNICATIONS ON ALL BALTIMORE COUNTY PUBLIC SCHOOLS' TELECOMMUNICATIONS EQUIPMENT AND SERVICES.

C. THE BCPS SYSTEM WEB TEAM SHALL MANAGE THE SCHOOL SYSTEM WEB DEVELOPMENT BY PROVIDING WEB CONTENT STANDARDS, QUALITY CONTROL MEASURES, SUPPORT TO SCHOOL/OFFICE WEB MASTERS, AND COMPLIANCE WITH BCPS TELECOMMUNICATIONS POLICIES AND RULES.

D. EMPLOYEES WHO REPRESENT THE SCHOOL SYSTEM THROUGH THE WEB PUBLISHING MEDIUM SHALL POST ALL SCHOOL OR OFFICE WEBSITES ON THE BCPS NETWORK SERVER. NO COMMERCIAL HOSTING IS PERMITTED.

E. The Telecommunications Acceptable Use Policy for Employees Form (Series 4006, Form A) must be signed by ALL employees prior to their use of telecommunications in Baltimore County Public Schools. This signed document is an agreement by the employee to comply with the terms and conditions of appropriate and safe use of telecommunications. It is a legal, binding contract that is kept on file AS A PART OF THE EMPLOYEE'S PERSONNEL RECORD. [by the principal/office head]

1. THE DEPARTMENT OF HUMAN RESOURCES WILL RETAIN THE ACCEPTABLE USE POLICY FOR EMPLOYEES FORM (SERIES 4006, FORM A) FOR ALL CENTRALLY HIRED EMPLOYEES.

2. THE PRINCIPAL/OFFICE HEAD WILL RETAIN THE ACCEPTABLE USE POLICY FOR EMPLOYEES FORM (SERIES 006, FORM A) FOR ALL LOCALLY HIRED EMPLOYEES.

F. Employees who use telecommunications in Baltimore County Public Schools without having a signed Telecommunications Acceptable Use Policy for Employees Form (SERIES 4006, FORM A) on file are in violation of Board Policy and subject to disciplinary action. PRINCIPALS/OFFICE HEADS ARE RESPONSIBLE FOR DETERMINING WHEN PART TIME OR TEMPORARY EMPLOYEES SHALL HAVE ACCESS TO TELECOMMUNICATIONS AND FOR ASSURING THAT SAID EMPLOYEES HAVE SATISFIED THE BCPS COMPLIANCE.

G. [DELETE: Employees who change their work location within Baltimore County Public Schools must renew the Telecommunications Acceptable Use Policy for Employees Form at their new site with their new principal/office head.]

G. Employees designated as Webmaster to coordinate and monitor electronic publications, such as a school or office web site, shall comply with the Webmaster Roles and Responsibilities Form (Series 4006, Form B) and indicate their understanding of the terms and conditions by signing the Webmaster Agreement Form (Series 4006, Form B).

H. BALTIMORE COUNTY PUBLIC SCHOOLS WILL EMPLOY PROCESSES WHICH ATTEMPT TO ENSURE THAT THE INTERNET IS AN EFFECTIVE, SAFE, AND ACCESSIBLE INSTRUCTIONAL RESOURCE AS FOLLOWS:

1. THE SYSTEM LEVEL WEB TEAM WILL PROVIDE GUIDANCE AND SUPPORT TO OFFICE/SCHOOL WEBMASTERS IN THE DESIGN, CONTENT, AND DEVELOPMENT OF WEB SITES THAT COMPLY WITH BOARD POLICIES AND SUPERINTENDENT'S RULES.

2. Coordinated by the Office of Library and Information Services, the Division of curriculum and instruction will provide guidance in the use of electronic resources which support the Baltimore County Public Schools' Essential Curriculum by maintaining the *ONLINE: THE LIBRARIANS' NETWORK FOR THE ESSENTIAL CURRICULUM* web site of evaluated resources which comply with the [Superintendent's Rule 6163.2 - Selection of Instructional Materials.] BOARD POLICY AND SUPERINTENDENT'S RULE FOR THE SELECTION OF INSTRUCTIONAL MATERIALS. The purpose of this web site is not to be inclusive of all available materials, nor does it claim to prevent students from moving beyond the scope of the web site to materials which have yet to be evaluated.

3. IN COLLABORATION WITH the OFFICE OF INSTRUCTIONAL TECHNOLOGY, the Department of Technology will maintain an effective, safe, AND ACCESSIBLE learning environment by providing guidance in the selection and use of hardware and administrative software.

4. IN COLLABORATION WITH the Department of Technology, THE OFFICE OF INSTRUCTIONAL TECHNOLOGY will maintain an effective, safe, AND ACCESSIBLE learning environment by providing guidance in the selection and use of instructional software.

5. Employees shall supervise students when using telecommunications in Baltimore County Public Schools.

6 Employees shall instruct students in the appropriate, legal, ethical, and safe use of telecommunications.

7. Parents/guardians will be requested to discuss the terms and conditions of the Telecommunications Acceptable Use Policy for Students with their child. THE POLICY IS distributed ANNUALLY TO PARENTS/GUARDIANS AND STUDENTS IN THE *STUDENT HANDBOOK*.

8. In order to comply with the Children's Internet Protection Act (CIPA), computer software/hardware which attempts to filter abusive, libelous, obscene, offensive, profane, threatening, sexually explicit, pornographic, or illegal material must be accessible on all employee computer networks with telecommunications capability before use by employees.

I. Employees shall comply with related Board Policies and Superintendent's Rules below:

1110 - Community Relations - Communication with the Public

4005 - Personnel - General - Dating or Sexual Relations Between Staff and Students

4115 - Personnel - Professional - Responsibilities, Duties, and Code of Ethics

6163.2 - Instruction - Selection of Instructional Materials

6166 - Instruction - Telecommunications Access to Electronic Information, Services, and Networks

8363 - Ethics Code - Conflict of Interest

8365 - Ethics Code - Lobbying Disclosure

J. All school or system level web pages shall contain OR LINK TO the following disclaimer:

> THE BALTIMORE COUNTY PUBLIC SCHOOLS DOES NOT GUARANTEE THE ACCURACY OR QUALITY OF INFORMATION LOCATED ON TELECOMMUNICATIONS NETWORKS. We have made every reasonable attempt to ensure that our school system's web pages are educationally sound and do not contain links to any questionable material or anything that can be deemed in violation of the BCPS telecommunications policy. THE LINKED SITES ARE NOT UNDER THE CONTROL OF THE BALTIMORE COUNTY PUBLIC SCHOOLS; THEREFORE, BCPS IS NOT RESPONSIBLE FOR THE CONTENTS OF ANY LINKED SITE, LINKS WITHIN THE SITE, OR ANY REVISIONS TO SUCH SITES. LINKS FROM BALTIMORE COUNTY PUBLIC SCHOOLS' WEB SITES ARE PROVIDED AS A CONVENIENCE AND DO NOT IMPLY AN ENDORSEMENT OF THE LINKED WEB SITE.

K. Electronic publications, such as employee personal web pages OR RESUMES, shall not be linked to or included as part of any school or system level web site.

L. School or system level web sites shall not include nor imply endorsement of advertisements, any business, or product.

M. TECHNOLOGY–BASED INSTRUCTIONAL PRODUCTS, SUCH AS INSTRUCTIONAL SOFTWARE, ONLINE RESOURCES, AND COMPUTER-BASED EQUIPMENT, USED FOR TELECOMMUNICATIONS SHALL COMPLY WITH ACCESSIBLILITY STANDARDS IN ORDER TO ENSURE STUDENTS WITH DISABILITIES EQUIVALENT ACCESS UNLESS DOING SO WOULD: (1) FUNDAMENTALLY ALTER THE NATURE OF THE INSTRUCTIONAL ACTIVITY; (2) RESULT IN UNDUE FINANCIAL AND ADMINISTRATIVE BURDENS; OR (3) NOT MEET OTHER SPECIFICIATIONS. BALTIMORE COUNTY PUBLIC SCHOOLS' WEB PUBLICATIONS SHALL ATTEMPT TO EMPLOY ACCESSIBLITY DESIGN STANDARDS.

N. All communications and publications which are representative of the Baltimore County Public Schools shall COMPLY WITH BOARD POLICIES AND RULES AND employ the conventions of standard English or other languages.

N. [Employee resumes shall not be linked to or included as part of any school or system web site.]

O. Only Baltimore County Public Schools' account managers or designees or the Office of Purchasing and designated staff are authorized to make financial commitments on behalf of the Baltimore County Public Schools. Unauthorized financial commitments made through the use of telecommunications computer networks are not the responsibility of Baltimore County Public Schools.

P. Baltimore County Public Schools' procurement cards shall not be used, UNLESS AUTHORIZED BY THE DEPARTMENT OF PURCHASING, to purchase materials, goods, or services offered for sale on any telecommunications computer network or service such as the Internet.

Q. The privacy of employee communications, data, and files is neither expressed nor implied. The Baltimore County Public Schools' [district] SYSTEM NETWORK ADMINISTRATOR, WEB TEAM, PRINCIPAL, AND/OR OFFICE OR SCHOOL Webmaster may review employee communications, data, and files to maintain system integrity and to monitor appropriate use of the network. Illegal activities will be reported to the appropriate authorities AS SET FORTH IN THE BCPS *CRITICAL RESPONSE AND SCHOOL EMERGENCY SAFETY MANAGEMENT GUIDE*.

R. The Baltimore County Public Schools' [district Webmaster] SYSTEM WEB TEAM reserves the right to EXERCISE EDITORIAL CONTROL, set limits on a user's filesize storage space, and remove files if the user fails to maintain

assigned storage space properly.

S. [The Baltimore County Public Schools do not guarantee the accuracy or quality of information located on telecommunications networks.]

T. Baltimore County Public Schools will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

U. Employees shall be responsible for ethical behavior when using telecommunications in Baltimore County Public Schools. Acceptable and safe uses of telecommunications are delineated in the Telecommunications Acceptable Use Policy for Employees Form. The terms and conditions are as follows:

1. Employees Shall:

A. Use telecommunications for educational purposes only as set forth above in Section A.

B. Communicate with others in a courteous and professional manner.

C. Comply with privacy rights of [students and employees] ALL PERSONS.

D. Comply with copyright laws and intellectual property rights of others.

E. Comply with related Board Policies and Superintendent's Rules as set forth above in Section E.

F. Report to the OFFICE HEAD/principal or designee receipt of e-mail messages which threaten to endanger the safety of students, employees, or other persons.

G. Agree to the review of employee communications, data, and files by the [district] SYSTEM NETWORK ADMINISTRATOR, WEB TEAM, PRINCIPAL, AND/OR OFFICE OR SCHOOL WEBMASTER.

H. REPORT TO THE OFFICE HEAD/PRINCIPAL OR DESIGNEE ANY SUSPECTED VIOLATIONS OF POLICY AND RULE 4006 AND 6166.

2. Employees Shall Not:

   A. USE THE BCPS TELECOMMUNICATIONS NETWORK FOR PERSONAL REASONS.

   B. BYPASS THE SCHOOL SYSTEM'S FILTERING PROXY SERVER.

   C. ACCESS OR distribute [or receive] abusive, harassing, libelous, obscene, offensive, profane, pornographic, threatening, sexually explicit, or illegal material.

   D. Use telecommunications for lobbying, commercial, or illegal purposes.

   E. [Alter, destroy, or vandalize data, hardware, or software.] KNOWINGLY ENTER UNAUTHORIZED COMPUTER NETWORKS OR SOFTWARE TO TAMPER OR DESTROY DATA.

   F. [Abuse network file size limitations.] INSTALL PERSONAL SOFTWARE ON COMPUTERS.

   G. Incur unauthorized financial obligation to the Baltimore County Public Schools or use the Baltimore County Public Schools' procurement card to purchase materials, goods, or services offered for sale on the Internet.

   H. [Publish electronic information which purports to speak for Baltimore County Public Schools without obtaining prior approval as set forth in Superintendent's Rule 1110.]

   H. SHARE CONFIDENTIAL PASSWORDS TO ACCESS BCPS COMPUTER NETWORKS, SERVICES, AND/OR INFORMATION RESOURCES.

   I. USE TELECOMMUNICATIONS IN ANY OTHER MANNER THAT WOULD VIOLATE BOARD POLICY AND RULES.

V. Employees shall comply with the terms and conditions of the ***Telecommunications Acceptable Use Policy for Employees*** Form. Failure to comply shall result in disciplinary action up to and including termination.

W. THE DEPARTMENT OF PROFESSIONAL DEVELOPMENT SHALL COORDINATE AND FACILITATE A COMPLIANCE AND TRAINING PROGRAM REGARDING ACCEPTABLE AND SAFE USE AND ADMINISTRATION OF THE TELECOMMUNICATIONS POLICIES AND RULES AS DESCRIBED HEREIN. EMPLOYEES MUST COMPLETE THE COMPLIANCE AND/OR TRAINING COMMENSURATE WITH THE LEVEL OF TELECOMMUNICATIONS ACCESS. THESE ARE:

1. LEVEL 1: ACCESS TO THE INTERNET AND INTRANET

   EMPLOYEES SHALL DOCUMENT COMPLIANCE BY RECEIPT AND REVIEW OF THE ACCEPTABLE USE POLICY FOR EMPLOYEES FORM (SERIES 4006, FORM A). REFER TO ITEM "E" IN THIS RULE FOR FILING INSTRUCTIONS.

2. LEVEL 2: ACCESS TO EMAIL

   EMPLOYEES SHALL DOCUMENT COMPLIANCE BY RECEIPT AND REVIEW OF THE BCPS ELECTRONIC MAIL APPLICATION FORM (SERIES 4006, FORM C). THE DEPARTMENT OF TECHNOLOGY SHALL RETAIN ALL SIGNED APPLICATION FORMS. SCHOOL-BASED STAFF SHALL RECEIVE ON-SITE TRAINING BY THE COMPUTER LIAISON; OFFICE-BASED STAFF AND SCHOOL-BASED COMPUTER LIAISONS SHALL RECEIVE TRAINING AT THE PROFESSIONAL DEVELOPMENT CENTER.

3. LEVEL 3: ACCESS TO WEB POSTING/PUBLISHING

   EMPLOYEES SHALL DOCUMENT COMPLIANCE BY RECEIPT AND REVIEW OF THE BCPS WEBMASTER ROLES AND RESPONSIBILITIES (SERIES 4006, FORM B). THE DEPARTMENT OF TECHNOLOGY SHALL RETAIN ALL SIGNED FORMS. SCHOOL AND OFFICE-BASED WEB MASTERS SHALL ATTEND ANNUAL INFORMATIONAL MEETINGS CONDUCTED BY THE BCPS WEB TEAM.

X. BCPS EMPLOYEES SHALL WORK WITH LAW ENFORCEMENT TO SUPPORT THE IDENTIFICATION, TERMINATION, AND PROSECUTION OF COMPUTER CRIMES SUSPECTED/COMMITTED BY STUDENTS AND STAFF USING TECHNOLOGY RESOURCES IN BCPS.

Y. EMPLOYEES SHALL RESPOND TO COMPUTER CRIMES AS SET FORTH IN THE BCPS *CRITICAL RESPONSE AND SCHOOL EMERGENCY SAFETY MANAGEMENT GUIDE*. CRITICAL RESPONSES TO ENSURE INTEGRITY OF DIGITAL INFORMATION, TRANSACTIONS, AND TIME FOOTPRINTS ARE AS FOLLOWS:

1. PRESERVATION OF COMPUTER CRIME EVIDENCE: PERPETRATOR'S COMPUTER

   A. DO NOT ATTEMPT TO ACCESS COMPUTER FILES, DOCUMENTS, AND/OR PROGRAMS. IF THE COMPUTER IS ON, DO NOT TURN IT OFF. IF THE COMPUTER IS OFF, DO NOT TURN IT ON.

   B. NOTIFY IMMEDIATE SUPERVISOR, ADMINISTRATOR, AND SCHOOL RESOURCE OFFICER (SRO). IF THE SRO IS NOT AVAILABLE, CONTACT 911 FOR AN OFFICER TO RESPOND.

   C. IF THE COMPUTER IS ON, THE SCHOOL RESOURCE OFFICE OR THE RESPONDING OFFICER WILL FIRST PHOTOGRAPH THE SCREEN AND THEN UNPLUG THE COMPUTER'S ELECTRICAL SOURCE FROM THE REAR OF THE COMPUTER ONLY. NOTE THE DATE AND TIME THE COMPUTER WAS UNPLUGGED.

   D. DO NOT MOVE THE COMPUTER, DISCONNECT ANY PERIPHERALS, WIRES, OR NETWORK CONNECTIONS. ISOLATE AND SECURE THE COMPUTER IN ITS PRESENT LOCATION UNTIL SEIZED BY THE INVESTIGATING OFFICER.

2. PRESERVATION OF COMPUTER CRIME EVIDENCE: VICTIM/RECEIVER'S COMPUTER

   A. MAKE A HARDCOPY OF THE EVIDENCE INCLUDING HEADER INFORMATION.

   B. SAVE A DIGITAL COPY ON DISK AND HARD DRIVE.

   C. NOTIFY IMMEDIATE SUPERVISOR, ADMINISTRATOR, AND THE SCHOOL RESOURCE OFFICER (SRO). IF THE SCHOOL RESOURCE OFFICER IS NOT AVAILABLE, CONTACT 911 FOR AN OFFICER TO RESPOND.

Z. UNDER THE DIRECTION OF THE DEPARTMENT OF TECHNOLOGY AND THE OFFICE OF LIBRARY INFORMATION SERVICES, THIS POLICY AND RULE SHALL BE REVIEWED IN

ACCORDANCE WITH RULE 8130 INTERNAL BOARD POLICIES: ORGANIZATION, FORUMLATION

LEGAL REFERENCES

Federal

- Children's Internet Protection Act, as codified at 47 U.S.C. §254(h)
- Electronic Communications Privacy Act, 18 U.S.C. §2701-2711
- Family Educational Rights and Privacy Act ("Buckley Amendment"), 20 U.S.C. §1232g
- Section 508 of the Rehabilitation Act of 1973, 20 U.S.C. §794d
- Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e

Annotated Code of Maryland

Education Article, §7-305 Suspensions and Expulsions
§7-308 Searches of Students and Schools
§26-101 Disrupting Activities at Schools or Colleges

Code of Maryland Regulations (COMAR)

- 13A.05.02.03.03BH Accessibility of Technology Based Instructional Products
- 13A.05.04.01 Public School Library Programs
- 13A.08.01.10 Guidelines for Students' Responsibilities and Rights
- 13A.08.01.11 Disciplinary Action
- 13A.08.01.11B Suspension and Expulsion
- 13A.08.01.14 Search and Seizures

Related Board Policies and Rules

- 1110 - Community Relations - Communication with the Public
- 4005 - Personnel - General - Dating or Sexual Relations Between Staff and Students
- 4115 - Personnel - Professional - Responsibilities, Duties, and Code of Ethics
- 6163.2 - Instruction - Selection of Instructional Materials
- 6166 - Instruction - Telecommunications Access to Electronic, Services, and Networks
- 8363 - Ethics Code - Conflict of Interest
- 8365 - Ethics Code - Lobbying Disclosure

Policy adopted: 6/9/97 Board of Education Baltimore County
REVISED February 2003

Baltimore County Public Schools

Telecommunications Acceptable Use Policy for Employees

Purpose of Telecommunications

The Baltimore County Public Schools recognize that new telecommunications technologies are changing the ways that information may be accessed, communicated, and transferred. These changes provide employees many opportunities to enhance teaching and learning, communication and resource sharing, and workplace efficiency. Use of telecommunications in Baltimore County Public Schools is for educational purposes. Educational purposes are defined as those tasks performed by employees which are directly related to Baltimore County Public Schools positions, job responsibilities, MISSION, AND GOALS. NO PERSONAL USE OF ANY KIND IS PERMITTED.

Terms and Conditions

Employees shall:

- √ Use the BCPS' telecommunications network for educational purposes only.
- √ Communicate with others in a courteous and professional manner.
- √ Comply with the privacy rights of ALL PERSONS.
- √ Comply with copyright laws and intellectual property rights of others.
- √ Comply with related Board Policies and Superintendent's Rules as delineated on the reverse side of this agreement.
- √ Report to the office head/principal or designee receipt of E-mail messages which threaten to endanger the safety of students, employees, or other persons.
- √ Agree to the review of employee communications, data, and files by the [district] SYSTEM NETWORK ADMINISTRATOR, WEB TEAM, [WEBMASTER], PRINCIPAL, AND OR OFFICE/SCHOOL WEBMASTER.
- √ REPORT TO THE OFFICE HEAD/PRINCIPAL OR DESIGNEE ANY SUSPECTED VIOLATIONS OF POLICY AND RULE 4006 AND 6166.

Employees shall not:

- X USE THE BCPS TELECOMMUNICATIONS' NETWORK FOR PERSONAL REASONS.
- X BYPASS THE SCHOOL SYSTEM'S FILTERING SERVER.
- X ACCESS or distribute abusive, harassing, libelous, obscene, offensive, profane, pornographic, threatening, sexually explicit, or illegal material.
- X Use telecommunications for lobbying, commercial, or illegal purposes.
- X KNOWINGLY ENTER UNAUTHORIZED COMPUTER NETWORKS OR SOFTWARE TO TAMPER OR DESTROY DATA.
- X INSTALL PERSONAL SOFTWARE ON COMPUTERS.
- X Incur unauthorized financial obligation to BCPS or use BCPS' procurement card to purchase materials, goods, or services offered for sale on the Internet.
- X SHARE CONFIDENTIAL PASSWORDS TO ACCESS COMPUTER NETWORKS, SERVICES, AND/OR INFORMATION RESOURCE.
- X USE TELECOMMUNICATIONS IN ANY OTHER MANNER THAT WOULD VIOLATE BOARD POLICY AND RULES.

Disclaimer

The accuracy and quality of the information located on telecommunication networks cannot be guaranteed. No warranties for telecommunications access are expressed or implied; BCPS will not be responsible for any information that may be lost, damaged, or unavailable due to technical difficulties.

Penalties

Violations of the Telecommunications Acceptable Use Policy may be a violation of law, civil regulations, or Board Policies 1110, 4005, 4006, 4115, 6163.2, 6166, 8363, or 8365. Suspension of telecommunications privileges, disciplinary action, and/or legal action may result from any infringement of this policy.

Dear Employee:

After reading he *Telecommunications Acceptable Use Policy for Employees*, please complete this form to indicate that you SHALL COMPLY with the terms and conditions and understand the penalties for misuse of telecommunications in the Baltimore County Public Schools. Your signature is required before access to telecommunications EQUIPMENT OR SERVICES is [granted] permissible.

Employee User Agreement

I hereby agree to abide by the terms and conditions of the BCPS *Telecommunications Acceptable Use Policy for Employees* THAT APPLY TO ANY AND ALL USE OF BCPS TELECOMMUNICATIONS DURING THE COURSE OF EMPLOYMENT. I further understand that any violation of this policy may be a violation of law, civil regulations, or the following Board Policies:

1110	Community Relations - Communication with the Public
4005	Personnel - General - Dating or Sexual Relations Between Staff and Students
4006	Personnel - General - Telecommunications Access to Electronic Information , Services, and Networks
4115	Personnel - Professional - Responsibilities, Duties, and Code of Ethics
6163.2	Instruction - Selection of Instructional Materials
6166	Instruction - Telecommunications Access to Electronic Information, Services, and Networks
8363	Ethics Code - Conflict of Interest
8365	Ethics Code - Lobbying Disclosure.

Should I violate the *Telecommunications Acceptable Use Policy for Employees* my access privileges may be suspended, disciplinary action , and/or legal action may result.

BY MY RECEIPT, REVIEW, AND SIGNATURE, I ACKNOWLEDGE THE TERMS AND CONDITIONS OF TELECOMMUNICATIONS ACCEPTABLE USE POLICY.

It is recommended that you make a photocopy of this document for your personal records.

Signature	Date
Full Name (Please print.)	Job Title
Work Location	Work Telephone

Questions regarding the *Telecommunications Acceptable Use Policy for Employees* should be directed to the Deputy Superintendent, Baltimore County Public Schools

Baltimore County Public Schools

Webmaster Roles and Responsibilities

Introduction

In accordance with the school system's [five-year] Technology Plan, Baltimore County Public Schools seek to expand educational resources and instruction to enable students to compete in the global Information Age. Publishing on the INTERNET AND BCPS INTRANET [World Wide Web (WWW)] makes it possible for the educational community to reach a vast number of individual schools, other school systems, teachers, higher educational institutions, and parents.

Purpose

Adherence to web page publishing guidelines will attempt to ensure proper use of telecommunications in the Baltimore County Public Schools. The webmaster responsibilities require efficient, ethical, and legal utilization of network resources, knowledge of information resources specific to the needs of students and employees, and technical skills to produce quality electronic publications for distribution worldwide. WEBMASTERS SHALL ATTEMPT TO EMPLOY UNIVERSAL DESIGN STANDARDS IN WEB PUBLISHING IN ORDER TO ENSURE WEB CONTENT IS ACCESSIBLE TO ALL.

School/Office Webmaster

A webmaster is a person who is responsible for the content and publication of a school/office website by coordinating, designing, and monitoring electronic publications for distribution over worldwide networks. The webmaster is responsible for knowledge, understanding and compliance with the contents of the BCPS Telecommunications Policies and Rules and must sign the Webmaster Agreement Form (Series 4006, Form B).

Responsibilities

- Communicating with the BCPS [District Webmaster] SYSTEM WEB TEAM and principal/office head to obtain approval prior to posting and distributing web pages over any network
- Providing [staff development] SUPPORT TO TEACHERS WITH THE WEB CONTENT MANAGEMENT SYSTEM.
- Designing and editing web pages
- Evaluating information and materials submitted for electronic publication
- Maintaining the school/office web site for accuracy, currency, and appropriateness.
- Uploading SCHOOL web pages to the BCPS NETWORK [web] server
- Responding to E-mail messages generated as a result of the school/office web site
- Encouraging BCPS employees to submit materials for publication on the school/office web site
- Attending all meetings held by the [District Webmaster] SYSTEM WEB TEAM

SYSTEM WEB TEAM [District Webmaster]

[A webmaster is a person who] THE SYSTEM WEB TEAM is responsible for the content and publication of a system level web site by coordinating, designing, and monitoring electronic publications for distribution over worldwide networks. The [webmaster] SYSTEM WEB TEAM is responsible for knowledge, understanding, and compliance with the contents of the BCPS Telecommunications Policies and Rules.

- Maintaining the Baltimore County Public Schools' web SITE [server]
- Communicating with school/office webmasters regarding procedural and policy changes
- Meeting with school/office webmasters to update their knowledge and skills
- Fulfilling the same responsibilities as the school/office webmaster, but on the SYSTEM [district] level.

Webmaster Agreement

I have read and understand the *Webmaster Roles and Responsibilities*. Violations of the terms and conditions of the Baltimore County Public Schools Telecommunications Policies and Rules may result in disciplinary and/or legal action. I further agree to report any misuse of electronic information resources to my principal/office head. I understand that I have no tenure in this position and my duties may be changed at the discretion of the principal/office head.

Webmaster's Name _____

(Please print.) Last First Middle Initial

School/Office _____ Phone _____

School/Office Web site URL _____

Webmaster's E-mail Address _____

_____ _____

Webmaster Signature Principal/Office Head Signature

Date _____ Date _____

Forward original to the SYSTEM WEB TEAM [District Webmaster] at the Department of [Instructional] Technology as validation of your agreement to the *Webmaster Roles and Responsibilities*. Make a copy for the school/office file and for your personal records.

Draft Series 4006, Form C

Baltimore County Public Schools
Electronic Mail Application Form

New Account Number

Please complete this form, make a copy for your records, and return the original to the Department of Technology at Timonium via interoffice mail or mail to the Department of Technology, Attn. Postmaster, 1940-G Greenspring Drive, Timonium, MD 21093. Once your account is set up, you will receive your account information via interoffice mail. **PLEASE USE AN INK PEN AND PRINT LEGIBLY. INCOMPLETE, UNREADABLE OR FAXED FORMS WILL NOT BE ACCEPTED.**

Applicant Information (Please print.)

Name (Last, First, M.I.)	Last 4 Digits of SSN
Position	Office/School Phone
Office/School	Extension

To help you understand the obligations and responsibilities involved in having a BCPS Business Electronic Mail Account, please read, initial, and sign this application.

☐ I have received and read the BCPS Telecommunications Policies and Rules and have signed the Acceptable Use Policy for Employees (Series 4006, Form A). A copy is on file in my personnel file at the BCPS Department of Human Resources (centrally hired employee) or on file with the office head/principal (locally hired employee).

☐ I understand that this email account is granted to me to conduct business for the Baltimore County Public Schools.

☐ I will not engage in any illegal or legally questionable activities via my BCPS Business Electronic Mail Account, including, but not restricted to, chain letters, web mail, instant messaging, spamming, harassing or vulgar electronic mail, etc. I understand that violations of the BCPS Telecommunications Policy and the Business Electronic Mail Account may be a violation of law, civil regulations, or Board Policies. Suspension of telecommunications privileges, disciplinary action, and/or legal action may result from any infringement of the BCPS telecommunications policy.

☐ I understand that I must not share my password or account with others. I agree that I am personally liable for any use of my account not in accordance with the BCPS Telecommunications Policies and Rules. If I lose/forget my password, I will contact the BCPS Customer Support Center at 410 887-4672.

☐ The regulations governing and services offered by the BCPS Business Electronic Mail Accounts are subject to revision at any time. Account holders will be notified of any policy changes via the BCPS website or other appropriate means and will be required to abide by current policies.

☐ I will inform the Department of Technology Postmaster immediately of any changes in my position, work location, job status, name,etc.by submitting an updated Electronic Mail Change Form (Series 4006, FORM D).

By signing this form, I agree that I am personally liable for any use of my account not in accordance with the BCPS Telecommunications Policies and Rules.

Signature of Applicant | Date | Authorized by Office Head/Principal

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF GRANTED ELECTRONIC MAIL ACCOUNTS IS MAINTAINED BY THE DEPARTMENT OF TECHNOLOGY

BEBCO 96600000803D 26/03

Policy 6166

INSTRUCTION: Telecommunications Access to Electronic Information, Services, and Networks

The Board of Education of Baltimore County recognizes that as telecommunications and other new technologies change the ways that information may be accessed, communicated, and transferred by members of society, those changes may also alter instruction and student learning. The Board of Education expects that the employees will integrate thoughtful use of electronic resources throughout the curriculum. The Board supports access by students to information resources along with the development by employees of appropriate skills to access, analyze, and evaluate such resources.

For students, telecommunications in the Baltimore County Public Schools are for educational purposes, such as, accessing curriculum-related information, sharing resources, and promoting innovation in learning. Learning how to use this wealth of information and how to communicate electronically are fundamental to prepare citizens and future employees for the 21st century.

Telecommunications extends the classroom beyond the school building by providing access to information resources on local, state, national, and international electronic networks. Telecommunications, because they may lead students to any publicly available fileserver in the world, will open classrooms to electronic information resources that may change daily and which have not been evaluated by educators for use by students of various ages. The Board of Education expects that employees will provide guidance and instruction to students in the appropriate use of such resources as specified in the Telecommunications Acceptable Use Policy for Students Form (Series 6166, Form A) and the Telecommunications Acceptable Use Policy for Employees Form (Series 4006, Form A).

Students shall be held responsible for appropriate behavior as specified in the Telecommunications Acceptable Use Policy for Students Form (SERIES 6166, FORM A).

The Baltimore County Public Schools will [attempt to] employ reasonable precautions TO THE EXTENT PRACTICAL TO MAKE [which attempt to ensure that use of] telecommunications [is a safe] PART OF AN APPROPRIATE learning environment for students. [The Board believes that the benefits to learning and teaching exceed most disadvantages.]

The Board of Education authorizes the Superintendent to develop appropriate procedures for implementing this policy, to review and evaluate its effect on student achievement and instruction, and to develop appropriate discipline procedures.

Legal References

Federal

- Children's Internet Protection Act, as codified at 47 U.S.C. §254(h)
- Electronic Communications Privacy Act, 18 U.S.C. §2701-2711
- Family Educational Rights and Privacy Act ("Buckley Amendment"), 20 U.S.C. §1232g
- Section 508 of the Rehabilitation Act of 1973, 20 U.S.C. §794d
- Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e

Annotated Code of Maryland
Education Article, §7-305 Suspensions and Expulsions
§7-308 Searches of Students and Schools
§26-101 Disrupting Activities at Schools or Colleges

Code of Maryland Regulations (COMAR)
- 13A.05.02.03.03BH Accessibility of Technology Based Instructional Products
- 13A.05.04.01 Public School Library Programs
- 13A.08.01.10 Guidelines for Students' Responsibilities and Rights
- 13A.08.01.11 Disciplinary Action
- 13A.08.01.11B Suspension and Expulsion
- 13A.08.01.14 Search and Seizures

Also See Board Policy, 5550, 5570, 5660 – Students

Policy adopted: 6/9/97 Board of Education Baltimore County
REVISED FEBRUARY 2003

Rule 6166

Instruction

Telecommunications Access to Electronic Information, Services, and Networks

A. Baltimore County Public Schools provide computer equipment with telecommunications capabilities to access electronic networks for educational purposes only.

1. Educational purposes are defined as those tasks performed by students [or employees] which are directly related to Baltimore County Public Schools' CURRICULAR assignments, projects, or [job responsibilities] OR RESEARCH. NO PERSONAL USE OF ANY KIND IS PERMITTED.

2. TELECOMMUNICATIONS REFERS TO AS ANY ELECTRONIC DEVICE THAT USES, MANAGES, CARRIES, OR SUPPORTS AUDIO, VIDEO, OR DATA AND INCLUDES, BUT IS NOT LIMITED TO, INFORMATION TRANSMITTED OR RECEIVED VIA RADIO, TELEVISION, CABLE, MICROWAVE, TELEPHONE, COMPUTER SYSTEMS, NETWORKS, AND FAX MACHINES.

B. THE BALTIMORE COUNTY PUBLIC SCHOOLS' TELECOMMUNICATIONS NETWORK IS A "CLOSED FORUM" FOR DISTRICT USE ONLY AND TO TRANSMIT INFORMATION TO THE PUBLIC. THE SYSTEM RESERVES THE RIGHT TO EXERCISE EDITORIAL CONTROL OVER ALL ELECTRONIC PUBLICATIONS AND COMMUNICATIONS ON ALL BALTIMORE COUNTY PUBLIC SCHOOLS' TELECOMMUNICATIONS EQUIPMENT AND SERVICES.

C. The Telecommunications Acceptable Use Policy for Students Form (Series 6166, Form A) states the terms and conditions of appropriate and safe use of networks.

D. The Telecommunications Acceptable Use Policy for Students Form is included in the Baltimore County Public Schools' ***Student Handbook*** and subject to the same annual updating and filing procedures. Parents/guardians who do not consent for their student to have access to telecommunications must send a letter to the principal.

E. Baltimore County Public Schools will [attempt to] employ processes [reasonable precautions] which attempt to ensure that the Internet is a SAFE AND ACCESSIBLE learning environment [The precautions are] as follows:

1. Coordinated by the Office of Library and Information [Technology], SERVICES, the Division of Curriculum and Instruction will provide guidance in the use of electronic resources which closely match the Baltimore County Public Schools' Essential Curriculum by maintaining *ONLINE: THE LIBRARIANS' NETWORK FOR THE ESSENTIAL CURRICULUM* web site of evaluated resources which comply with the [Superintendent's Rule 6163.2 - Selection of Instructional Materials.] BOARD POLICY AND SUPERINTENDENT'S RULE FOR THE SELECTION OF INSTRUCTIONAL MATERIALS. The purpose of this web site is not to be inclusive of all available materials, nor does it claim to prevent students from moving beyond the scope of the web site to materials which have yet to be evaluated

2. IN COLLABORATION WITH THE OFFICE OF INSTRUCTIONAL TECHNOLOGY, THE DEPARTMENT OF TECHNOLOGY WILL MAINTAIN AN EFFECTIVE, SAFE, AND ACCESSIBLE LEARNING ENVIRONMENT BY PROVIDING GUIDANCE IN THE SELECTION AND USE OF HARDWARE AND ADMINISTRATIVE SOFTWARE.

3. IN COLLABORATION WITH [Coordinated by] the Department of Technology, THE OFFICE OF INSTRUCTIONAL TECHNOLOGY [the Division of Budget, Finance, and Technology] will maintain a safe AND ACCESSIBLE learning environment by providing guidance in the EVALUATION, selection, and use of INSTRUCTIONAL SOFTWARE. [network software/hardware].

4. THE SYSTEM LEVEL WEB TEAM WILL PROVIDE GUIDANCE AND SUPPORT TO OFFICE/SCHOOL WEBMASTERS IN THE DESIGN, CONTENT, AND DEVELOPMENT OF WEB SITES THAT COMPLY WITH BOARD POLICIES AND SUPERINTENDENT'S RULES.

5. Employees shall supervise students when using telecommunications in Baltimore County Public Schools.

6. Employees shall instruct students in the appropriate, legal, ethical, and safe use of telecommunications.

7. Parents/guardians will be requested to discuss the terms and conditions of the Telecommunications Acceptable Use Policy for Students with their student. THE POLICY IS DISSEMINATED ANNUALLY TO PARENTS/GUARDIANS AND STUDENTS IN THE BCPS *STUDENT HANDBOOK*.

8. IN ORDER TO COMPLY WITH THE CHILDREN'S INTERNET PROTECTION ACT (CIPA), computer software/hardware which attempts to filter abusive, libelous, obscene, offensive, profane, threatening, sexually explicit, pornographic, or illegal material must be accessible on all student computer networks with telecommunications capability before use by students.

F. Baltimore County Public Schools will not be responsible for unauthorized financial obligations incurred by students resulting from the use of telecommunications in Baltimore County Public Schools.

G. Baltimore County Public Schools do not guarantee the accuracy or quality of information located on remote networks.

H. Students shall be held responsible for appropriate behavior as specified by the terms and conditions in the Telecommunications Acceptable Use Policy for Students Form (SERIES 6166, FORM A). These terms and conditions are not intended to be all inclusive, but should serve as a reference for appropriate and safe use of telecommunications.

1. Students Shall:

A. Use Baltimore County Public Schools' telecommunications for educational purposes only.

B. Communicate with others in a courteous and professional manner.

C. Maintain the privacy of personal name, address, phone number, password(S), and respect the same privacy of others.

D. Use only telecommunications accounts and passwords provided by the school.

E. Report any incident of harassment to the supervising employee.

F. Comply with copyright laws and intellectual property rights of others.

G. AGREE TO THE REVIEW OF STUDENT COMMUNICATIONS, DATA, AND FILES BY THE BALTIMORE COUNTY PUBLIC SCHOOLS.

H. REPORT VIOLATION OF THIS TELECOMMUNICATIONS ACCEPTABLE USE POLICY TO THE SUPERVISING EMPLOYEE.

2. Students Shall Not:

   A. [Alter, destroy, or vandalize data, hardware, or software.] KNOWINGLY ENTER UNAUTHORIZED COMPUTER NETWORKS OR SOFTWARE TO TAMPER OR DESTROY DATA.

   B. BYPASS THE SCHOOL SYSTEM'S FILTERING SERVER.

   C. ACCESS OR distribute [or receive] abusive, harassing, libelous, obscene, offensive, profane, pornographic, threatening, sexually explicit, or illegal material.

   D. Install personal software on computers

   E. Use telecommunications for commercial, purchasing, or illegal purposes.

   F. USE TELECOMMUNICATIONS IN ANY OTHER MANNER THAT WOULD VIOLATE SCHOOL BOARD'S DISCIPLINARY POLICIES.

I. Permission must be obtained from the parent/guardian prior to electronically publishing or distributing a student's intellectual property which is protected by U.S. copyright law. Use the Baltimore County Public Schools' [Parent/Guardian and Student] Permission to Publish Intellectual Property on the INTERNET OR BCPS INTRANET [WWW Form] (Series 6166, Form B) in accordance with Superintendent's Rule 1110.1.

J. The Baltimore County Public Schools will not permit a student's full name, home address, or home telephone number to appear on a school or system level web site as specified in the terms and conditions of the Telecommunications Acceptable Use Policy for Students and Telecommunications Acceptable Use Policy for Employees.

K. Identification of a student's intellectual property shall appear in the following manner:

   Individual Student - First name and surname initial
   Group of Students - Group name WITH THE EXCEPTION OF LABELING THAT WOULD IDENTIFY STUDENTS' DISABILITIES.

L. Responding to requests for additional information about a student is the responsibility of the principal or designee who shall comply in accordance with the Code of Maryland Regulations (COMAR) 13A.08.02.

M. THE BALTIMORE COUNTY PUBLIC SCHOOLS SHALL NOT ENTER INTO ANY CONTRACT FOR TELECOMMUNICATIONS AND/OR INFORMATION SERVICES WHERE STUDENT PERSONAL INFORMATION (NAME, TELEPHONE, HOME ADDRESS, AND PERSONAL INTERESTS) WILL BE COLLECTED BY THE VENDOR.

N. The Baltimore County Public Schools shall not permit photographs, videos, or films of an individual student to appear on a school or system level web site. A group photograph (4 or more individuals) may appear as the group name, provided that:

1. The parents/guardians of each student appearing in the group photograph, video, or film have granted permission to publish such material on the WWW. Use [the Parent/Guardian and Student] Permission to Publish Student Group Photograph/Video [Film on the WWW] on the INTERNET OR BCPS INTRANET Form (Series 1110, Form D).

2. THE PHOTOGRAPH, VIDEO, OR FILM DOES NOT REVEAL STUDENTS' DISABILITY BY LABELING SUCH AS "MS. JONES SPECIAL EDUCATION CLASS," ETC.

O. Permission must be obtained from the parent/guardian prior to the student appearing in a production distributed over the Baltimore County Public Schools' cable Education Channel AND DISTANCE LEARNING IN ORDER to relinquish all parent/guardian or student monetary claims or royalties upon Baltimore County Public Schools. Use the Baltimore County Public Schools' Consent and Release Agreement for the Education Channel Production Form (SERIES 6166, FORM C) OR THE DISTANCE LEARNING Consent and Release Agreement for the Maryland Interactive Distance Learning Network Form (SERIES 6166, FORM F) to request permission.

P. Students resumes shall not be linked to or included as part of any school or system level web site.

Q. Electronic publications, such as student personal web pages, shall not be linked to or included as part of any school or system level web site.

R. Electronic publications created by students may be linked to or included as part of any school or system level web site provided that they:

1. Are [created under the supervision and direction of] REVIEWED AND APPROVED BY the principal's designee Webmaster.

2. Comply with the guidelines for web publishing as specified in the Webmaster Roles and Responsibilities Agreement FORM (SERIES 4006, FORM B. [(Series 1110, Form E).]

3. Comply with the Superintendent's Rule 1110, with the Public.

S. All school or system level web pages shall contain OR LINK TO the following disclaimer:

> THE CONTENTS OF THIS WEB SITE AND ITS LINKS SUPPORT THE MISSION OF THE BALTIMORE COUNTY PUBLIC SCHOOLS. We have made every reasonable attempt to ensure that our school system's [web pages] WEB SITES are educationally sound and do not contain links to any questionable material or anything that can be deemed in violation of the BCPS Telecommunications Policy. THE LINKED WEB SITES ARE NOT UNDER THE CONTROL OF THE SCHOOL SYSTEM; THEREFORE, THE SCHOOL SYSTEM IS NOT RESPONSIBLE FOR THE CONTENTS OF ANY LINKED WEB SITE, LINKS WITHIN THE WEB SITE, OR ANY REVISIONS TO SUCH WEB SITES. LINKS FOR INSTRUCTIONAL PURPOSES COMPLY WITH THE BOARD OF EDUCATION POLICY 6163.2 INSTRUCTION — SELECTION OF INSTRUCTIONAL MATERIALS. LINKS ARE PROVIDED FOR CONVENIENCE AND DO NOT IMPLY AN ENDORSEMENT OF THE LINKED WEB SITE.

T. All [communications and publications] SCHOOL OR SYSTEM LEVEL WEB SITES which are representative of the Baltimore County Public Schools shall COMPLY WITH BOARD POLICIES AND RULES AND employ the conventions of standard English or other languages.

U. Baltimore County Public Schools' network storage areas shall be treated like school lockers as they are the property of Baltimore County Public Schools. The privacy of student communications, data, and files is neither expressed nor implied. The Baltimore County Public Schools [District Webmaster] may review student communications, data, and files to maintain system integrity and to monitor appropriate use of the network. Illegal activities will be reported to the appropriate authorities.

V. Students shall comply with the terms and conditions of the Telecommunications Acceptable Use Policy for Students Form (SERIES 6166, FORM A). Students who fail to comply shall be disciplined according to the procedures set forth in the Baltimore County Public Schools' ***Student Handbook***.

W. THIS POLICY AND RULE SHALL BE REVIEWED IN CONJUNCTION WITH THE REVIEW OF THE BALTIMORE COUNTY PUBLIC SCHOOLS' STUDENT HANDBOOK. THE REVIEW SHALL BE HELD UNDER THE DIRECTION OF THE DEPARTMENT OF STUDENT SUPPORT SERVICES AND THE OFFICE OF LIBRARY INFORMATION SERVICES. THIS DEPARTMENT AND OFFICE SHALL BE RESPONSIBLE FOR THE FACILITATION AND COMPLETION OF THE REVIEWS OF THE POLICY AND RULE, AS WELL AS ANY REVISIONS THAT MAY BE NECESSARY.

Legal References:

Federal

- Children's Internet Protection Act, as codified at 47 U.S.C. §254(h)
- Electronic Communications Privacy Act, 18 U.S.C. §2701-2711
- Family Educational Rights and Privacy Act ("Buckley Amendment"), 20 U.S.C. §1232g
- Section 508 of the Rehabilitation Act of 1973, 20 U.S.C. §794d
- Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e

Annotated Code of Maryland

Education Article, §7-305 Suspensions and Expulsions
§7-308 Searches of Students and Schools
§26-101 Disrupting Activities at Schools or Colleges

Code of Maryland Regulations (COMAR)

- 13A.05.02.03.03BH Accessibility of Technology Based Instructional Products
- 13A.05.04.01 Public School Library Programs
- 13A.08.01.10 Guidelines for Students' Responsibilities and Rights
- 13A.08.01.11 Disciplinary Action
- 13A.08.01.11B Suspension and Expulsion
- 13A.08.01.14 Search and Seizures

Also See Policies, 1100, 1110 - Community Relations; 4006 - Personnel; 5550, 5570, 5660, Students

REVISED FEBRUARY 2003

Baltimore County Public Schools

Telecommunications Acceptable Use Policy for Students

Purpose of Telecommunications

Telecommunications extend the classroom beyond the school building by providing access to information resources on local, state, national, and international electronic networks such as the Internet. For students, telecommunications use in the Baltimore County Public Schools is for educational purposes, such as accessing curriculum-related information, sharing resources, and promoting innovation in learning. NO PERSONAL USE OF ANY KIND IS PERMITTED. Learning how to use this wealth of information and how to communicate electronically are information literacy skills which support student achievement and success in the 21st century.

Information Available

- Government publications and databases
- Museums and MULTIMEDIA COLLECTIONS
- Maps and other geographic resources
- Encyclopedias and dictionaries
- Magazines and newspapers
- Library catalogs and community directories
- HOMEWORK AND ASSIGNMENTS
- VIRTUAL REFERENCE SERVICES

Telecommunications Safety

Precautions will be taken to attempt to ensure that the Internet is a safe learning environment. Students will be supervised while using the Internet and will be instructed in the appropriate and safe use, selection, and evaluation of information. Also, software which attempts to block access toobjectionable material will be accessible on computer networks used by students AS REQUIRED BY THE CHILDREN'S INTERNET PROTECTION ACT.

Terms and Conditions

Students shall:

√ **Use telecommunications for educational purposes only.**

√ **Communicate with others in a courteous and respectful manner.**

√ **Maintain the privacy of personal name, address, phone number, password(s), and respect the same privacy of others.**

√ **Use only telecommunication accounts and passwords provided by the school.**

√ **Report any incident of harassment to the supervising employee.**

√ AGREE TO THE REVIEW OF COMMUNICATIONS, DATA, AND FILES BY THE BALTIMORE COUNTY PUBLIC SCHOOLS.

√ **Comply with copyright laws and intellectual property rights of others.**

√ REPORT ANY VIOLATION OF THIS TELECOMMUNICATIONS ACCEPTABLE USE POLICY TO THE SUPERVISING EMPLOYEE.

Students shall not:

X **Knowingly enter unauthorized computer networks OR SOFTWARE to tamper or destroy data.**

X BYPASS THE SCHOOL SYSTEM'S FILTERING SERVER.

X **Access or distribute abusive, harassing libelous, obscene, offensive, profane, pornographic, threatening, sexually explicit, or illegal material.**

X **Install personal software on computers.**

X **Use telecommunications for commercial, purchasing, or illegal purposes.**

X USE TELECOMMUNICATIONS IN ANY OTHER MANNER THAT WOULD VIOLATE SCHOOL BOARD DISCIPLINARY POLICIES.

Disclaimer

The accuracy and quality of the information cannot be guaranteed. No warranties for telecommunications access are expressed or implied; BCPS will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

Penalities

Violations of the Telecommunications Acceptable Use Policy may be a violation of law, civil regulations, or Board Policies 5550, 5570, or 5660. Suspension of telecommunications privileges, school disciplinary action, and/or legal action may result from infringement of this policy.

BERCO 966000007811D 25/02

Dear Parent/Guardian:

We are requesting consent for your child to use telecommunications in school. This policy is intended to inform you and your child about the *Telecommunications Acceptable Use Policy* , as well as document your reply. Please read the information on the reverse side before signing this document. We encourage you to discuss with your child all of the information, especially the terms and conditions for acceptable and safe use and the penalties for misuse of telecommunications.

Please read, sign, and return this document to the school. Consent is required before your child will be permitted to use telecommunications in school.

Student User Agreement

Must be signed by all students.

I hereby agree to abide by the Baltimore County Public Schools Telecommunications Acceptable Use Policy. I further understand that any violation of the policy may be a violation of law, civil regulations, or Board of Education Policy 5550 - Disruptive Behavior, 5570 - Student Sexual Harassment, or 5600 - Students' Rights and Responsibilities. Should I violate the policy, my access privileges may be suspended, school disciplinary action may be taken, and/or appropriate legal action may result.

_____ _____

Student Signature Date

Parent/Guardian Reply (Check only one .)

Must be completed if your child is under 18 years of age.

_____ I have read and understand the Baltimore County Public Schools *Telecommunications Acceptable Use Policy.* As the parent/guardian of the student signing above, **I grant consent for my child to have supervised access to telecommunications.**

_____ I have read and understand the Baltimore County Public Schools *Telecommunications Acceptable Use Policy.* **I have decided that my child will not participate in the use of the telecommunications.** My child will complete school assignments using other information resources.

_____ _____

Parent/Guardian Signature Date

Questions regarding the Telecommunications Acceptable Use Policy should be directed to the Deputy Superintendent, Baltimore County Public Schools

Baltimore County Public Schools

Permission to Publish Intellectual Property on the Internet or BCPS Intranet

Dear Parent/Guardian and Student:

Your child has created an original work(s) which Baltimore County Public Schools would like to electronically publish ON THE INTERNET OR BCPS INTRANET. Your child's work will be available to a potentially limitless global audience. Some examples of student work published [on theWWW] are, but not limited to, literary and artistic works, multimedia, and computer programs.

The Baltimore County Public Schools will not permit a student's full name, home address, or home phone number to appear on a school or system level web site. This is a precautionary measure that attempts to protect your student from possible rude, insulting, or exploitative Internet users. Requests for additional information about your child shall comply with the requirements of the *Code of Maryland Regulations (COMAR 13A.08.02).* In addition, Baltimore County Public Schools will display a copyright notice which prohibits the copying of your child's work without the express written permission by the parent/guardian. Requests received by Baltimore County Public Schools to use your student's work, other than the sponsoring school or office listed below, will be forwarded to you.

Description of Student's Work

Publishing and Sponsoring Information

Sponsoring School or Office: Telephone #:

Name of Employee Requesting Permission:

Name of Web Site: URL: http://

Please check one AND RETURN SIGNED FORM TO THE EMPLOYEE REQUESTING PERMISSION.

- ☐ We the parent/guardian and student **DO** grant permission.
- ☐ We the parent/guardian and student **DO NOT** grant permission.

- ☐ I am a student of 18 years or older and **DO** grant permission.
- ☐ I am a student of 18 years or older and **DO NOT** grant permission.

Signature of Parent/Guardian	Name (Please print.)	Date
Signature of Student	Name (Please print.)	Date

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF GRANTED PERMISSION IS MAINTAINED BY THE OFFICE OR SCHOOL WEBMASTER. SEND SIGNED ORIGINAL WITHIN 5 BUSINESS DAYS.

BEBCO 96600000783D 25/02

Baltimore County Public Schools

Parent/Guardian/Student Consent and Release Agreement for an Educational Channel Production

We, the undersigned, do hereby consent for our student to appear in the {video} production described below. We are aware that this appearance may be edited as necessary, used in whole or in part, or deleted. We understand that the recorded program(s) in which the appearance occurs is intended for distribution or telecast over the BCPS Cable Television Channel. We also understand that the recorded material may be distributed as general interest programming at the discretion of the Baltimore County Public Schools.

For consideration received, which includes the valuable educational experience and exposure involved in participating in this programming, we relinquish all monetary claims upon the Baltimore County Public Schools and Comcast Cable Television. We consent to the use of the name, likeness, voice, or biographical material of our student in connection with program publicity and promotion.

Description of Video Production

Title:

Purpose:

Approximate Distribution/Telecast Date:

Production and Sponsoring Information

Sponsoring School or Office: Telephone #:

Name of Employee Requesting Permission:

Parent/Guardian/Student Response

Please check one AND RETURN SIGNED FORM TO THE EMPLOYEE REQUESTING PERMISSION.

- ☐ We the parent/guardian and student **DO** consent.
- ☐ We the parent/guardian and student **DO NOT** consent.

- ☐ I am a student of 18 years or older and **DO** consent.
- ☐ I am a student of 18 years or older and **DO NOT** consent.

Signature of Parent/Guardian	Name (Please print.)	Date
Signature of Student	Name (Please print.)	Date

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF GRANTED PERMISSIONS IS MAINTAINED BY THE EDUCATION CHANNEL. SEND SIGNED ORIGINAL WITHIN 5 BUSINESS DAYS.

Baltimore County Public Schools

Permission to Publish Student Group Photograph OR Video on the Internet or BCPS Intranet

Dear Parent/Guardian and Student

Baltimore County Public Schools would like to electronically publish a student group photograp or video on the INTERNET OR BCPS INTRANET. It will be available to a potentially limitless global audience and will identify the students by group name only, e.g., Mr. Smith's Science Club. This is a precautionary measure that attempts to protect your student from possible rude, insulting, or exploitative Internet users.

For consideration received, which includes the valuable educational experience and exposure involved in your student's participation, we THE PARENT/GUARDIAN relinquish all monetary claims upon the Baltimore County Public Schools. We consent to the use of the group name, likeness, or voice of our child in connection with publicity and promotion.

Description of Photograph or Video

Title:

Purpose:

Publishing and Sponsoring Information

Sponsoring School or Office: Telephone #:

Name of Employee Requesting Permission:

Name of Web Site: URL: http:/

Please check one AND RETURN THE SIGNED FORM TO THE EMPLOYEE REQUESTING PERMISSION.

- ☐ We the parent/guardian and student **DO** grant permission.
- ☐ We the parent/guardian and student **DO NOT** grant permission.
- ☐ I am a student of 18 years or older and **DO** grant permission.
- ☐ I am a student of 18 years or older and **DO NOT** grant permission.

Signature of Parent/Guardian	Name (Please print.)	Date
Signature of Student	Name (Please print.)	Date

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF GRANTED PERMISSION IS MAINTAINED BY THE OFFICE OR SCHOOL WEBMASTER. SEND SIGNED ORIGINAL WITHIN 5 BUSINESS DAYS.

Baltimore County Public Schools

Copyright Permission Request

TO: **DATE:**

FROM:
[Reply to address]

ACTION:
Please reply by:

In the course of our school system's ongoing development of curriculum materials, web pages, and other resources to enhance teaching and learning, we frequently encounter published materials of extraordinary relevance to our instructional program. We are currently engaged in a project for which we are requesting your permission to include YOUR INTELLECTUAL PROPERTY in the forthcoming publication AS DESCRIBED.

Description of Copyrighted Material Requested
INCLUDE APPLICABLE INFORMATION IN ORDER THAT THE OWNER OF THE COPYRIGHT IS ABLE TO IDENTIFY THE REQUESTED MATERIAL.

TITLE:

EDITION:

AUTHOR(S) OR EDITOR(S):

PUBLISHER/PRODUCER:

PAGES OR SECTIONS REQUESTED:

URL (IF WEB PAGE): HTTP://

Description of BCPS Publication
Include applicable information in order that the owner of the copyright is informed of the intended use of the copyrighted work(s).

Title:

Purpose:

Type of Reproduction:

Number of copies (if book):

URL (if web page): http://

Approximate Publication Date:

Copyright Owner's Response

☐ I give my permission. Other than the bibliographic citation to document the source of my copyrighted work, I request that BCPS include additional information. [Please note on reverse side.]

☐ I am not the owner of the copyrighted material. [Please identify on the reverse side the owner, if known.]

☐ I do not give my permission.

Signature _____ Title _____

Name (Please print.) _____ Date: _____

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF COPYRIGHT PERMISSIONS GRANTED IS MAINTAINED BY THE OFFICE OF THE DEPUTY SUPERINTENDENT, DIVISION OF CURRICULUM AND INSTRUCTION. SEND SIGNED ORIGINAL WITHIN 5 BUSINESS DAYS.

Baltimore County Public Schools

Consent and Release Agreement for the Maryland Interactive Distance Learning Network

We, the undersigned, do hereby consent for our student to participate in a Maryland Interactive Distance Learning Network Tele-Course or event. My child's likeness may be recorded as he/she participates in classroom instruction. We understand that the daily lessons will be recorded for students' review purposes only. A lesson recording in which an appearance occurs is intended for the private use of students participating in the MIDLN course. Unauthorized use of any MIDLN recording is a direct violation of the BCPS Board of Education Telecommunications Policies and Rules.

For consideration received, which includes the valuable educational experience and exposure involved in this MIDLN course, we relinquish all monetary claims upon the Baltimore County Public Schools or MIDLN. We consent to the use of the name, likeness, voice, or biographical material of our student in connection with program publicity and promotion.

Description of the Marland Interactive Distance Learning Course/Event

Course/Event:

Purpose:

Approximate Tele Date:

Sponsoring Information

Sponsoring School or Office: Telephone #:

Name of Employee Requesting Permission:

Parent/Guardian/Student Response

Please check one and return signed form to the employee requesting permission.

☐ We the parent/guardian and student **DO** consent.
☐ We the parent/guardian and student **DO NOT** consent.

☐ I am a student of 18 years or older and **DO** consent.
☐ I am a student of 18 years or older and **DO NOT** consent.

Signature of Parent/Guardian	Name (Please print.)	Date
Signature of Student	Name (Please print.)	Date

FILING INSTRUCTIONS FOR BCPS PERSONNEL

A CENTRAL DEPOSITORY OF GRANTED PERMISSIONS IS MAINTAINED BY THE EDUCATION CHANNEL. SEND SIGNED ORIGINAL WITHIN 5 BUSINESS DAYS.

Committee Chairs

Ron Boone, Executive Director
Federal and State Programs

Della Curtis, Coordinator
Office of Library Information Services

Committee Membership

Greg Barlow, Executive Director	Dept. of Technology
Steve Ball, Web Developer	Dept. of Technology
Chris Beard, Librarian	TABCO Designee
Joyce Caldwell, Librarian	Perry Hall Middle
Thomas Delcher, Computer Security	Dept. of Technology
Tena Ellis, Personnel Officer	Dept. of Human Resources
Thomas Evans, Principal	Catonsville Middle
Alex Hajimihalis, Principal (Retired)	Jacksonville Elem.
Charles Herndon, Communications Officer	Office of Communications
Margaret-Ann Howie, Esq., Legal Counsel	Law Office
Kay Jones, Librarian	Overlea High
Marsye Kaplan, Facilitator	Special Ed. – Assistive Tech.
Linda Meyer, Technical Trainer	Professional Development
Anne O'Neil, Librarian	Franklin High
Todd Porter, Producer/Distance Learning Coordinator	The Education Channel
Dale Rauenzahn, Director	Student Support Services
Risa Schuster, Ombudsperson	Greenwood Administration
Art Stritch, Supervisor	Library Information Services
Michael Weglein, Resource Teacher/CISCO Facilitator	Instructional Technology

Community Stakeholder Groups

Carl Alexander	NW Area Advisory Council
Boyd Crouse	SE Area Advisory Council
Sam Macer	SW Area Advisory Council
Meg Ohare	NE Area Advisory Council
Lt. Donald Collins	Baltimore Co. Police Dept.
Detective Sgt. Bob Derbyshire	Baltimore Co. Police Dept.
Paula Simon	CASE
Kelli Nelson	Citizen's Advisory/Spec. Ed.
Jeanne Paynter	GT Advisory Council
Christine Beard	TABCO

BCPS Offices

Arlene Fleischmann, Acting Director	Professional Development
Margaret-Ann Howie, Esq., Legal Counsel	Law Office
Todd Porter, Producer/Distance Learning Coordinator	Education Channel
John Smeallie, Director	Personnel

Reviewers

Barbara Falkinburg, Librarian	Hereford High School
Carolyn Mollenkopf, Professional Librarian	Library Information Services

References

Government, Associations, and Organization Website Resources

CyberAngels: The Largest Internet Safety Organization
FromNowOn by Dr. Jamie McKenzie
GetNetWise Coalition
National Center for Missing and Exploited Children
National PTA
National School Boards Association
National Association of Elementary School Principals
National Association of Secondary School Principals
NetParents.org
Northwest Educational Technology Consortium
Rice University Acceptable Use Policies Hot Links
SafeKids by Larry Magid
UCLA Online Institute for Cyberspace Law and Policy
U.S. Department of Education
U.S. Depatment of Justice
Web66 Acceptable Use Policies

Print and Digital Resources

Aftab. Parry and Nancy Savitt (n.d.). Kids, Internet, and the Law. Retrieved from the Internet January 10, 2002: http://www.aftab.com/

American Association of School Administrators (n.d.). Technology Planning and Policies. Retrieved April 24, 2002 from the Internet: http://www.aasa.org/issues_and_insights/technology/planning.htm

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Conn, Kathleen (2001). Offensive Student Web Sites: What Should Schools Do? Educational Leadership, Volume 58 Number 5. Retrieved January 10, 2002 from the Internet: http://www.ascd.org/readingroom/edlead/0102/conn.html

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National Association of Secondary School Principals (1998). The Internet, Students' Rights, and Today's Principal. Retrieved from January 13, 2002 from the Internet: http://www.principals.org/services/legalmem_1298.htm

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National School Boards Foundation (n.d.) Research and Guidelines for Children's Use of the Internet: Safe and Smart. Retrieved May 2002 from the Internet: http://www.nsbf.org/safe-smart/full-report.htm#sum

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U. S. Department of Education, Office of Educational Research and Improvement (1997). Parents Guide to the Internet. Retrieved January 16, 2002 from the Internet: http://www.ed.gov/pubs/parents/internet/

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Willard, Nancy (2002). Responsible Netizen Institute: Safe and Responsible Use of the Internet. Retrieved March 12, 2002 from the Internet: http://responsiblenetizen.org/

Other Maryland School Systems

Allegany County Public Schools
Anne Arundel County Public Schools
Caroline County Public Schools
Carroll County Public Schools
Cecil County Public Schools
Frederick County Public Schools
Harford County Public Schools
Howard County Public Schools
Montgomery County Public Schools
Prince Georges County Public Schools

B-1

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Follow-Up to the Proposed FY04 Budget Work Session**

ORIGINATOR: J. Robert Haines, Deputy Superintendent of Business Services
Christine Johns, Deputy Superintendent of Curriculum and Instruction

RESOURCE PERSON(S): Merle Audette, Chief of Staff
Greg Barlow, Barbara Burnopp, Randy Grimsley, Rita Fromm, and Don Krempel, Executive Directors of Business Services
Phyllis Bailey, Ron Boone, Dr. Gwen Grant, Kathy McMahon, and Robert Kemmery, Executive Directors of Curriculum and Instruction
Michael Goodhues, Director, Budget and Reporting

INFORMATION

As a follow-up to Board member questions at the Work Session on Tuesday, February 4, 2003, the administration's responses are provided in the appendices.

Appendix I is the definition of terms that are used to describe the funding sources for each new item in the Proposed FY04 Proposed Budget. In addition, a code for each funding source is included.

Appendix II provides the Table of Contents from the Work Session binder which now includes the location of each item in the Budget Book, a code for the funding source, and the cost for each item.

Appendix III lists the Board members' questions and the administration's responses.

Appendix I – Definition of Terms
Appendix II – Table of Contents
Appendix III – Questions and Responses

DEFINITIONS OF TERMS

New Thornton Funds (NTF)
These are new funds from the State that are categorized as unrestricted funds. They represent the increase in State funding that would not have occurred without the changes that the Thornton Commission made to the funding formulae. These funds provide flexibility to school systems in the planning process.

(Examples are: In the FY04 Proposed Budget, the New Thornton Funds are used for funding the expansion of full-day kindergarten at 10 schools, Professional Development, Special Education, Army JROTC, Performance Series, Evening High School, Technology, Lease of Buses, Drivers, Air Quality, CollegeEd, Career and Technology, and Special Area Time.)

Redirected State Funds (RSF)
These are FY03 funds that are in Special Revenues. Under the new legislation, the State has removed the restrictions from the funding and have re-categorized them as unrestricted funds. As a result, for the FY04 Budget, all of these unrestricted funds are in the General Fund.

(Examples are: In the FY04 Proposed Budget, the following restricted funds have been re-directed: Academic Intervention, State Class Size Reduction, approximately two-thirds of State Compensatory Education, and Mentors. The redirected funds are for the FY04 initiatives of reduced staffing ratios for grades K-2, Mentor/Math Mentors, and Technology Teachers.)

Maintained State Funds (MSF)
These are FY03 funds that are in Special Revenues. Under the new legislation, the State has removed the restrictions from the funding and have re-categorized them as unrestricted funds. In the Proposed FY04 Budget, not all of the Special Revenue funds have been redirected.

(Examples are: Career and Technology, Teacher Development, Gifted and Talented, Library-Elementary, Northwest/Southwest Regional IEP, Targeted Poverty, Targeted Improvement, Summer Programs, and Limited English Proficiency, Adult General Education (AGE), School Community Center Program (SCCP), Disruptive Youth, Therapeutic Services, and approximately one-third of State Compensatory Education)

Redirected General and Special Revenue Funds (RGF) – (RSRF)
These are funds that are in the FY03 Budget for achieving specific results and have been redirected for the FY04 Budget to achieve different results, and in some cases, very similar results.

(Examples are: In the FY04 Proposed Budget Equity and School Improvement Funds that are presently in the General Fund have been redirected for the Accelerated and Enrichment Programs. Title I and Title II – Special Revenue funds have been redirected

in the proposed FY04 Proposed Budget for the Primary Talent Development Program and for the Reading/Language Arts and Mathematics Academies.)

Additional Built In Costs (BI)
These are additional costs to the systems that reflect increases in specific programs that are to be funded by the State and County. Built-in costs are the mandated increases required to maintain the "status quo" of our current operation.

(Examples are: Benefits, Salary Increments, Private Placement, New Town Start-Up, Teaching Positions for increased enrollment in 2002 - 2003 and projected increased enrollment in 2003 - 2004.)

Request for Funds (RF)
These are additional funds that are requested to achieve a specific result.

Example is: CASE Restructuring

TABLE OF CONTENTS

Item #	Description of Item and Resources	Page # Work Session	Page # Budget Book	Source Fund Code	Cost $
	Definitions of Terms	1-2			
	Elementary Programs				
1	Full-Day Kindergarten and Relocatables	3-6	35, 103,177	NTF	1,026.606 406,500
2	Kindergarten Reading Materials	7-8	103	NTF	114,000
3	Social Studies Texts Grades 4, and 5	9-11	103	RGF	572,326
4	Science Kits Grade 4	12-13	103	RGF	60,000
	Secondary Programs				
5	Social Studies Text, Grade 11	14-15	103	RGF	497,450
6	CollegeEd	16-18	115	NTF	94,600
7	English for Speakers of Other Languages (ESOL)	19-20	35,131	MSF	2,539,800
8	Performance Assessments	21-22	129	NTF	59,400
	Professional Development				
9	Professional Development Reading/Language Arts and Math Academies	23-25	255	RSRF	160,000
10	Professional Development Math, Special Education and Technology	26-27	163	NTF	336,000
11	Teacher Development	28-29	35,163	MSF	664,000
	Federal and State Programs				
12	Northwest and Southwest Regional IEP Team	30-31	35	MSF	500,000
13	Special Education Growth Factor	32-35	35	NTF	1,502,516
14	Private Placements	36-37	111	BI	8,528,555
15	Targeted Improvement Program	38-39	35,113	MSF	1,758,179
16	Targeted Poverty	40-41	35,113	MSF	3,362,004

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

	Pre-K-12 Special Programs				
17	Library Fund K-12	42-43	143	RGF MSF	1,147,284 752,000
18	Maintained Career and Technology	44-45	137	MSF	556,914
19	Army JROTC/Patapsco High	46-47	35,137,177	NTF	58,626 146,912
20	Career and Technology	48-50	35	NTF	186,648
21	Primary Talent Development	51-53	253	RSRF	1,407,460
22	Maintained Gifted and Talented	54-56	139	MSF	269,200
	Student Support Services				
23	Disruptive Youth/General Adult Ed/Therapeutic Services	57-58	147	MSF	159,737
24	Evening High School	59-62	147	NTF	113,364
25	Pupil Personnel Services—Residency	63-64	157	RGF	15,000
26	Summer School	65-66	147	MSF	260,000
27	School Community Center Program	67-68	147	MSF	65,707
	Elementary, Federal and State, Human Resources and Professional Development Services				
28	• Redirected State Funds--$12,973,630	69			
28-A	A. Academic Intervention	70-71	223	RSF	(1,967,323)
28-B	B. Class Size Reduction Program	72	228	RSF	(2,597,972)
28-C	C. State Compensatory Education	73	230	RSF	(2,008,335)
28-D	D. Mentors	74	163	RSF	(6,400,000)
29	• Redirected State Funds for New Initiatives--$12,973,630	75			
29-E	E. Student-Teacher Ratio, K-2	76-77	35	RSF	5,716,243
29-F	F. Mentors and Math Mentors	78-80	35	RSF	4,623,432
29-G	G. Technology Teachers	81	35	RSF	2,633,955

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

	Human Resources				
30	Maintain State Compensatory Education	84-85	35,113	MSF	1,023,589
31	Enrichment and Accelerated Programs	86-88	41	RGF	2,500,000
32	CASE Restructuring	89	Multiple Pages	NR	400,000
33	Special Area Time, K-2	90-91	35	NTF	863,247
	Information Technology				
34	Technology—Student Information System Phase 1 of 2	92-93	205	NTF	1,500,000
35	Technology—Disk Storage	94	205	NTF	392,000
36	Technology—Data Warehouse	95-96	205	NTF	250,000
	Fiscal Services				
37	New Town High School	97-98	35,46,47, 181, 183,217	BI	1,084,078 1,608,164
38	Increments	99	Multiple Pages	BI	8,742,057
39	Benefits	100	292	BI	18,700,000
40	Enrollment 2002-2003 and 2003-2004	101	35,53	BI	3,600,000
41	Mid-Year Adds	102	Multiple Pages	BI	890,659
42	Miscellaneous Increases and Technical Adjustments	103	Multiple Pages	BI	4,100,000
	Planning and Support Operations				
43	Leases of Buses and Drivers for New Town High School	104	217	NTF	103,795
	Physical Facilities				
44	Air Quality	105-106	179	NTF	100,000

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

QUESTIONS AND RESPONSES

1. Question:

How much is the Environmental budget and is the $100,000 requested from the New Thornton Funding supplemental or included in the existing budget? Where can this be found in the budget book?

Response:

The current Environmental budget is $569,000 and the requested $100,000 is additional money.
The FY04 Proposed Budget is on page _____.

2. Question:

What would the cost be to pay the Evening High School teachers $30.00 or $34.92 an hour?

Response:

The following costs would apply for each of the rates:

Proposed FY04 Budget $25 an hour	Response $30 an hour	Response $34.92 an hour
$ 113,364	$222,410	$ 319,495

3. Question:

What Baltimore County Public Schools do not have GT programs and identified students?

Response:

152 schools have GT programs and identified students. Sollers Pt Southeastern Technical was left off the count but does have a GT program with identified students. Schools that do not have GT programs are alternative and special education schools as well as the Early Childhood Center. These schools are the following:

Special Schools

Battle Monument

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Campfield Early Childhood Center
Maiden Choice School
RICA – Catonsville Education Center
Ridge Ruxton School
White Oak School

Alternative Schools

Inverness Middle/High
Catonsville Center for Alternative Studies
Rosedale Middle/ High
Meadowood Education Center

Other

Featherbed Lane Primary

Pending funding of the FY 04 Special Revenue Title I budget proposal, White Oak and Featherbed Lane Primary will get .5 GT (CATALYST) teachers. When New Town High School opens in the fall of 2003 it will have a GT program and identified students.

4. Question:

What has been the retention of the new teachers who attended the summer reading academies during the **summer of 2002?**

Response:

The academies for the **2002-2003 school year** were open to all new elementary hires. The academies were not mandatory; therefore all new hires did not attend due to previous work commitments or vacation plans. Additionally, although the academies were intentionally held late in the summer, some of the teachers were not hired at the time of the academies.
The specifics related to the question are being compiled and will be provided.

5. Question:

How will the CollegeEd program be implemented and what results has the system had with the pilot this year?

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Response:

In the fall of 2000, The College Board and Baltimore County Public Schools announced that they had entered into an agreement to increase college awareness and preparation for the more than 107,000 students in the school system. Now in the third year of a partnership, the program implements components of The College Board System and an integrated set of College Board products, services, and teaching and learning materials that focus on college readiness and preparation from middle school through high school graduation. These expanded resources provide BCPS students with extra support in an increasingly competitive college admissions process. In addition to The College Board Partnership, locally developed materials, such as SAT manuals and national programs including AVID and TestU, provide support for students' educational development and future success in college.

This year (2002-2003) The College Board activities include a pilot program of The CollegeEd curriculum in eight middle schools. CollegeEd is a 12-week course (45 minute sessions) for seventh-grade students developed by The College Board to inspire every single student to attend and succeed in college. CollegeEd is the only program in the country aimed at all students. Rich or poor, black or white, all students will receive the very best college planning and preparation. Next year, Baltimore County Public Schools are proposing to offer and implement CollegeEd in all middle schools for approximately 8,800 7th graders. The research on the value of CollegeEd for all students is very positive.

The assessment of the CollegeEd curriculum by school administrators, teachers, parents/guardians, and students in pilot schools, as well as the curriculum experts at Teachers College, Columbia University and members of the SBPG was overwhelmingly positive. There was a strong consensus among all constituencies that the ideas that the curriculum espouses are critical to inspire middle school students of all economic, educational, and racial/ethnic backgrounds to have high educational aspirations, and that the knowledge base it offers empowers them to achieve those aspirations.

Teachers in the pilot schools judged the curriculum to be comprehensive and well-developed, offering them a well-planned, interactive guide that equipped them with key strategies that increased their ability to inspire and prepare their students for higher education. They conveyed that the curriculum was easy to teach and the assignments and activities were engaging and, for the most part, age appropriate, if somewhat challenging.

Parents/guardians of all socio-economic, educational and cultural backgrounds expressed strong support for the CollegeEd course. All of the interviewed parents/guardians perceived the course as a valuable educational experience for their children and an important resource for themselves. Non-college educated parents/guardians praised the

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

curriculum for legitimizing their dreams for their children's future, opening their children's eyes regarding possibilities, and for providing the children and the parents/guardians with the knowledge necessary to map and navigate the path toward higher education. Better educated parents/guardians commended the curriculum for reinforcing the importance of planning early for higher education, for assisting them to up-date their own knowledge about the academic and social aspects of preparing for college, and the college application and financial aid processes, thereby enhancing their ability to assist their children. The curriculum's potential to inspire, motivate, and educate parents/guardians is critical in light or Horn, Nunez, & Bobbitt (2000) research which found that family involvement in the college preparation process in middle school was strongly related to students' subsequent enrollment in postsecondary education. This finding was true regardless of the families' socio-economic, educational or cultural background.[1]

At the end of this school year, implementation models used in the pilot schools will be examined and discussed. Insights gained from the pilot schools will be instrumental in selecting a method of exposing students to the concepts of CollegeEd at the seventh grade level.

[1] Horn, L., Nunez, A.M. & Bobbitt, L. *Mapping the Road to College* (NCES 2000-152). Washington, D.C.U.S. Department of Education, National Center for Educational Statistics, U.S. Government Printing Office, 2000.

6. Question:

The PowerPoint presentation given to the Board in a previous meeting, mentioned that the first year cost of the Student Information System is $1.5 million. What was the $642,000 for? Is that for on-going costs to maintain the system? Is it another $1.5 million for the second year?

Response:

The $642,000 figure was actually the combination of items #35 and #36, which are both one-time costs related to data storage and the data warehouse. The $1.5 million slide was a representation of first year funds required for the total additional technology budget request, and was not intended as a representation of the ongoing cost for the Student Information System. An additional $1.5M is needed to complete the system development and it will be request in the FY05 Budget.

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

7. Question:

Will the new system be able to be accessed by teachers, principals, administrators, and others who will need to make decisions based on the data this system contains?

Response:

While the Superintendent's technology vision has not been fully funded, (part of which provides a high capacity PC dedicated for every teacher's use on their desk, and a better than 5 to 1 ratio of students per high capacity PC), the fact remains that there is a tremendous amount of access available for teachers, administrators, and principals. Currently, 95% of the classrooms in BCPS have Internet and network access. There are also over 35,000 networked computers in BCPS, with over 24,000 being high capability. The system is designed to be browser-based, therefore enabling not only high capability computers to have access, but also mid capacity, and even low capacity to have access, As long as a computer has the ability to run a browser, it will be able to access this system, given that person has the appropriate security rights.

8. Question:

What is the amount of the increase in and total spending for non-public placements?

Response:

There was an increase of 80 students in non-public placements from December 1, 2001 to December 1, 2002. This is the largest increase the system has experienced and it represents 55 more students than the increase from the previous year.

1. The cost of non-public programs continues to increase annually.
2. More non-public facilities are requesting personal assistants for students with considerable challenges and/or therapeutic needs.
3. More students with intense needs require movement from less expensive day-only programs to residential placements.
4. There has been an increase in the number of new residents to the county who are already in non-public placements. These individuals legally must remain in these programs under the "Stay Put" language of the Individuals with Disabilities Education Act.
5. The income level to qualify for mental health supports under social services was lowered from $30,000.00 to $10,000.00. As a result, far less families, both the children and their family members, are receiving the therapeutic interventions that may have prevented escalations in behaviors/symptoms.

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Enrollment Increases for the Past Four Years:

12/98 to 12/99	12/99 to 12/00	12/00 to 12/01	12/01 to 12/02
+ 20	+ 52	+ 25	+ 80

Deficits for the Last Three Fiscal Years:

FY 2002

	Local	State	Total
Appropriated	9,800,000	9,001,000	18,801,000
Spent	11,163,730	11,415,609	22,579,339
Deficit	-1,363,730	-2,414,609	-3,778,339

FY 2001

	Local	State	Total
Appropriated	9,364,586	8,528,049	17,892,635
Spent	9,949,035	9,144,571	19,093,606
Deficit	- 584,449	- 616,522	-1,200,971

FY 2000

	Local	State	Total
Appropriated	8,785,000	8,000,000	16,785,000
Spent	9,220,587	7,952,461	17,173,048
Deficit	- 435,587	47,539	-388,048

9. Question:

What services do the Northwest-Southwest IEP Team provide to the schools? Is there a need for more support at schools with large numbers of agency-placed students?

Response:

NW/SW Regional Team
School Service Data for Semester 1, 2002-3

Schools served by name:	# of times served
Chadwick Elementary	18
Catonsville Elementary	4
Dogwood Elementary	5
Edmondson Heights Elementary	16

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Hebbville Elementary	13
Featherbed Lane	1
Powhatan Elementary	4
Woodlawn Middle	17
Woodlawn High	18
Catonsville Middle	1
Johnnycake Elementary	8
Southwest Academy	8
Woodmoor Elementary	1
Pikesville Middle	2
Pikesville High	3
Deer Park Middle	4
Milbrook Elementary	1
Church Lane Elementary	2
Scotts Branch Elementary	2
Old Court Middle	3
Randallstown High	10
Randallstown Elementary	1
Chatsworth	1

Twenty – three total schools to date

- Number of IEP Teams: 36
- Number of assessments by type
    - Educational assessments - 47
    - Psychological assessments - 11
- Parent Surrogates arranged by home school – 1
- Parent Surrogates arranged by NW/SW Team – 7
- Other services:
    - Staff development
    - Instructional Support
    - Secure records
    - Placement Problems
    - Consult
    - Assist with local teams
    - Function as liaison between agencies and schools

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Northwest-Southwest Regional IEP Team
Schools of Ten or More Agency Placed Students

(Data as of 10/15/2002)

Area	School	Students
Southwest Area:	Arbutus Middle	16
	Catonsville High	20
	Edmondson Heights	20
	Featherbed Elementary (Primary and Intermediate)	17
	Hebbville Elementary	17
	Johnnycake Elementary	18
	Maiden Choice Elementary	27
	Powhatan Elementary	12
	Southwest Academy	36
	Woodlawn High	74
	Woodlawn Middle	48

- Total Southwest Area schools with ten or more agency-placed students12 of 33 schools (36%)
- Total Southwest Area schools with one or more agency-placed students32 of 33 schools (97%)
- Total agency-placed students in all Southwest Area schools 388 students

Area	School	Students
Northwest Area:	Church Lane Elementary	10
	Deer Park Middle	32
	Franklin High	12
	Hernwood Elementary	22
	Milford Mill Academy	53
	New Town Elementary	18
	Old Court Middle	53
	Pikesville High	14
	Pikesville Middle	22
	Randallstown Elementary	15
	Randallstown High	75
	Scotts Branch Elementary	16
	Winand Elementary	13

- Total Northwest Area schools with ten or more agency-placed students 13 of 30 schools (43%)

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

- Total Northwest Area schools with one or more agency-placed students 26 of 30 schools (87%)
- Total agency-placed students in all Northwest Area schools 409 students

Area	School	Students
Central Area:	White Oak Elementary	17

- Total Central Area schools with ten or more agency-placed students 1 of 33 schools (3%)
- Total Central Area schools with one or more agency-placed students 23 of 33 schools (70%)
- Total agency-placed students in all Central Area schools 81 students

Area	School	Students
Northeast Area:	Overlea High	16
	Parkville High	11

- Total Northeast Area schools with ten or more agency-placed students 2 of 33 schools (6%)
- Total Northeast Area schools with one or more agency-placed students 27 of 33 schools (82%)
- Total agency-placed students in all Northeast Area schools 108 students

Area	School	Students
Southeast Area:	Chesapeake High	14
	Deep Creek Middle	11

- Total Southeast Area schools with ten or more agency-placed students 2 of 35 schools (6%)
- Total Southeast Area schools with one or more agency-placed students 21 of 35 schools (60%)
- Total agency-placed students in all Southeast Area schools 65 students

BCPS Totals:

- Total BCPS schools with ten or more agency-placed students 30 of 164 schools (18.3%%)
- Total BCPS schools with one or more agency-placed students109 of 164 schools (66.5%)
- Total agency-placed students in all BCPS schools 1051 students

10. Question:

Is there a loss of services to schools when staff is designated for this team?

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Response:

The Northwest -Southwest IEP Team is funded through "Maintained State Funds." Therefore, there is no new staff taken from schools to provide the services offered by the team.

11. Question:

What professional development opportunities are offered to veteran teachers?

Response:

The Department of Professional Development provides growth and development opportunities for veteran teachers through the following initiatives:

- Continuing Professional Development courses,
- Professional Development Schools in partnership with 13 local universities,
- Mentor training and mentor cadre training, and
- Teachers As Leaders as a component of the leadership program.

The total cost of these initiatives for 2001-2002 was $522,348.

In 2001-2002, Title II funds provided $626,976 for teacher development that included ongoing professional development in content and pedagogy as well as coursework in partnerships with higher education.

12. Question:

What professional development is available to paraeducators?

Response:

BCPS participates in a partnership with the College of Notre Dame (Advance Instruction for Paraeducators). Through this partnership, paraeducators may obtain 15 credits towards a Bachelor's Degree.

BCPS participates in a partnership with the Community College of Baltimore (The Educational Support Program). This program enables paraeducators to complete coursework toward a degree in education.

The Department of Professional Development offers a course specifically designed for paraeducators in techniques for supporting students with disabilities.

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Paraeducators attended the following workshops sponsored by the Department of Professional Development:

- *Implications of No Child Left Behind*, and
- *The Role of the Paraeducator in the BCPS Service Model.*

During systemwide professional development days, paraeducators are offered tutorials in mathematics and writing in order to prepare for a state assessment leading to certification. Those already qualifying for certification will attend workshops in using technology to enhance instruction.

13. Question:

What groups of employees have not had their class specifications reviewed? What would it cost to have these groups reclassified?

Response:

1. Elementary/Special Education School-Based Clerical Employees
   - This group, represented by **BACE**, was a part of a reclassification study done in the 1993-94 school year and reviewed in the 1998-99 school year. The 1993-94 study resulted in upgrades to most classes of clerical employees, but it was the 1998-99 review that highlighted the need to reclassify elementary/special education school-based administrative secretaries, and a smaller number of other school-based clerical employees. The reclassification would have resulted in one grade improvement for this group of school-based employees.

   - If funded, this item would cost approximately $550,000.

2. Bus Drivers
   - This group, represented by **AFSCME**, was part of a reclassification study done over ten years ago. The reclassification would have resulted in an amount of money being added to the scale for drivers, thus improving their hourly rate.

   - If funded, this item would cost approximately $425,000.

3. Grounds Men I and II
   - These groups, represented by **AFSCME**, were part of a reclassification study done in 2000. The reclassification would have resulted in a one grade improvement for these employees.

   - If funded, this item would cost approximately $175,000.

Funding Source:

Description	Code
Built In	BI
New Request	NR
Redirected State Funds	RSF
Maintained State Funds	MSF
Redirected General Fund	RGF
New Thornton Funding	NTF
Redirected Special Revenue Fund	RSRF

Exhibit B-1
Appendix IV

Superintendent FY04 Proposed Budget
Addendum and Technical Adjustments
2/11/03 Board Meeting

Addenda Item

Employee Reclassifications

Revenue projections received 2/3/03 from MSDE indicate a $484,000 increase in the projections previously used for the current FY04 request. These additional revenues will be used to fund previously agreed upon salary reclassifications phased in over FY04-FY05 for the BACE and AFSCME bargaining units. School-based Clericals, Groundsmen and Bus Drivers will be affected by this change.

JROTC – Patapsco High

Add .4 FTE, salary and benefits consistent with Federal agreement, and non-salary funds for relocatable improvements.

Special Education – Enrollment

Adjust per pupil calculation to reflect Level IV and V enrollment only in formula. This will result in a decrease of $192,000 in four categories.

Technical Changes

Include minor changes to salary, FTE and non-salary accounts between categories and updates to page 36. None of these changes are financially material or reflect a new or revised policy direction.

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

February 11, 2003

RETIREMENTS

NAME	POSITION	SCHOOL/OFFICE	YRS. OF SERVICE	EFFECTIVE DATE
Naomi Binko	Teacher	Villa Cresta Elem.	27.0	7-1-03
Nancy E. Bradshaw	Instructional Asst.	Woodbridge Elem.	23.4	2-1-03
Karen Gronau	Teacher	Seven Oaks Elem.	19.0	9-1-03
Eugene Marchesi	Teacher	Golden Ring Middle	32.6	2-1-03
Joan Meagher	Reading Specialist	Sandy Plains Elem.	33.0	7-1-03

As of 1/27/03

Exhibit

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

February 11, 2003

RESIGNATIONS

ELEMENTARY – 1

Edmondson Heights Elementary School
Georgia M. Harvey, 01/25/03, 27.5 yrs.

SECONDARY - 9

Dundalk High School
Kelly Hovermill, 01/31/03, 1.5 yrs.

Hereford High School
Brad W. McClain, 03/28/03, 4.7 yrs.

Lansdowne Middle School
Corrie D. O'Connor, 01/17/03, 5.0 mos.

Patapsco High School
Katherine G. Rickman, 01/24/03, 6.5 yrs.

Pikesville High School
Orlando Ranson, 02/21/03, 6.0 mos.
Ralph L. Sapia, 06/30/03, 6.0 yrs.

Pikesville Middle School
Cynthia Jordan, 02/14/03, 1.1 yrs.

Sparrows Point Middle School
Florence V. Michel, 01/10/03, 4.5 yrs.

Sudbrook Magnet Middle School
Eileen N. Krasnoff, 02/12/03, 1.6 yrs.

SEPARATIONS FROM LEAVE – 1

Beth Burnam, granted Child Rearing Leave, 08/29/01-06/30/03, resigning 01/15/03, 4.5 yrs.

DOP: 2/12/03

Exhibit

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

February 11, 2003

RESIGNATIONS

ADDENDUM

ELEMENTARY – 1

Riverview Elementary School
Sharif B. Abdul-Haqq, 06/30/03, 5.0 yrs.

DOP: 2/12/03

Exhibit E

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

February 11, 2003

LEAVES

CHILD REARING LEAVES

DAWN MARIE BROWN – Owings Mills High School (Cafeteria Worker)*
Effective November 11, 2002 through November 11, 2004

JAMIE ROBUSTO GINSKI – Chase Elementary School
Effective March 26, 2003 through March 26, 2005

STEPHANIE ANN LINZ – Kenwood High School
Effective April 29, 2003 through April 29, 2005

LEA NOTARNICOLA MUSSINI – Middle River Middle School
Effective January 23, 2003 to June 30, 2004

LORI HALL O'DONNELL – Arbutus Elementary School
Effective February 2, 2003 through February 2, 2005

CAROLE MAGGIO ROLLINS – Dundalk Middle School
Effective March 19, 2003 through March 19, 2005

MILITARY LEAVE

STEVEN EUJENE SHATZER – Perry Hall Middle School
Effective January 27, 2003 through January 27, 2004

PERSONAL ILLNESS LEAVE

VARNETTE CARR – Randallstown High School (Cafeteria Worker)*
Effective November 11, 2002 through June 30, 2003

MAXINE GLENNIS MIGHT – Dundalk High School (Building Service Worker)*
Effective July 1, 2002 through June 30, 2003

HILDA MARIE WILLIAMS – Rosedale Bus Facility (Driver-School Bus)*
Effective November 14, 2002 through June 30, 2003

UNUSUAL OR IMPERATIVE LEAVE

DOUGLAS ELDRED YOUNG – Providence Road Bus Lot (Driver-School Bus)*
Effective November 15, 2002 through November 15, 2003

*Non-member Maryland State Retirement System & Pension System

Exhibit

BALTIMORE COUNTY PUBLIC SCHOOLS
TOWSON, MARYLAND 21204

February 11, 2003

DECEASED

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

CONSTANCE D. TURNER
Bus Attendent
Arbutus Bus Facility
January 1, 2003

DOP: 2/12/2003

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: **January 28, 2003**

TO: **BOARD OF EDUCATION**

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

SUBJECT: **Recommendations for Award of Contracts**
Board Exhibit – February 11, 2003

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

RESOURCE PERSON(S): **Patrick Fannon, Controller; Rick Gay, Purchasing Manager**

RECOMMENDATION

That the Board of Education approves the following contract recommendations.

*****

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

RLG/caj

Appendix I – Recommendations for Award of Contracts – Board Exhibit

Recommendations for Award of Contracts
Board Exhibit – February 11, 2003

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

1. **Contract:** Contracted Services: Burner Preventative Maintenance, Installation, and Repair
Bid #: RHA-346-03

Term: 5 years **Extensions:** 0 **Contract Ending Date:** 2/11/08 (tentative)
Estimated annual award Value: $150,000
Estimated total award value: $750,000

Bid issued: November 7, 2002
Pre-bid meeting date: November 21, 2002
Due Date: December 5, 2002
No. of vendors issued to: 33
No. of bids received: 10
No. of no-bids received: 1

Description:
Contracted Services: Inspections, Preventative Maintenance, and Time & Material Projects with *Not-to-Exceed* Quotes

The Division of Physical Facilities, Office of Maintenance, has requested the Office of Purchasing to issue the following solicitation. The following contract is an indefinite-quantity contract, as the services intended for purchase are based upon future needs of the system, and are pending allocation of funds.

The Office of Maintenance intends to have pre-qualified contractors with the appropriate insurance, training, and certification to be *on call* to do inspections, repairs, and installations. Based upon the previous needs of the Office of Maintenance for these types of services, availability of the contractors when called upon to do work, and the urgency to have the work done within a specified timeframe, the award of contract may be made to multiple contractors for this solicitation. All work under this contract will be done either on a *time-and-material* or by a *not-to-exceed* quote basis.

Inspections will be done by the primary award contractor. If, for any reason, the primary award contractor is unable to do the work within the timeframe of the Office of Maintenance, the next ranked contractor will be asked to do the work, and so on throughout the list. For the following contract, if a larger project with a definable scope has been identified, **all of the award bidders** will be asked to provide a *not-to-exceed* quote. All of the award bidders will be provided with the scope of the project and will be

asked to include all materials and labor required to properly complete the project by a specified date. Since all the award bidders are offering a competitive price, the cost is usually substantially less than utilizing the time-and-material scenario. However, this quote process still guarantees that all work is to be done by pre-qualified contractors. Specifications were developed in conjunction with the Office of Maintenance staff and contractors *on call* to do burner services and troubleshooting of existing systems, and to provide installation of new work.

Recommendation:

Award of contract is recommended to:

		Price/Hr.
Primary	Phillips Way, Inc., Owings Mills, MD	$38.00
Secondary	R.F. Warder Co., Baltimore, MD	$47.75
Tertiary	Facility Engineering Service Corp., Reisterstown, MD	$57.97

Responsible school or office: Office of Maintenance and
Office of Engineering and Construction

Contact Person: Cornell Brown

Funding Source: Operating budget, aging school funds, and capital projects

2. **Contract:** Contracted Services: Regulated Waste Processing and Removal
Bid #: JCO-411-03

Term: 5 years **Extensions:** 2/one year each **Contract Ending Date:** 2/11/10 (tentative)
Estimated annual award Value: $30,000
Estimated total award value: $150,000

Bid issued:	October 3, 2002
Pre-bid meeting date:	October 14, 2002
Due Date:	October 23, 2002
No. of vendors issued to:	15
No. of bids received:	4
No. of no-bids received:	1

Description:
The services include the disposal of waste oil, anti-freeze, diesel fuel, and gasoline filters. Bidders were asked to provide pricing on all services, and the award was made on an aggregate price per single scheduled pickup for each category. The value of this contract is based upon historical and projected services.

Recommendation:
Award of contract is recommended to:

A2Z Environmental Services, Joppa MD	$652

A2Z is the lowest responsible bidder providing the best value to BCPS based on an aggregate unit price for all services required.

Responsible school or office:	Office of Environmental Services and Department of Transportation
Contact Person:	Ron Kehne, Bob Merrey
Funding Source:	Office of Environmental Services and Department of Transportation

3. **Contract:** Custodial Floor Care Products
Bid #: JCO-414-03

Term: 3 years **Extensions:** 0 **Contract Ending Date:** 2/11/06 (tentative)
Estimated annual award Value: $211,880
Estimated total award value: $635,640

Bid issued: November 21, 2002
Pre-bid meeting date: December 2, 2002
Due Date: December 12, 2002
No. of vendors issued to: 23
No. of bids received: 9
No. of no-bids received: 1
No. of non-responsive: 2

Description:
This is a multi-year bid to establish a price ageement for the purchase of custodial floor care products (floor stripper, floor finish, dust mop treatment, and floor restorer). The bid was designed to award the products on an aggregate basis to provide for compatibility of product and efficiency in use. The products were evaluated and approved by the Office of Operations prior to the issuance of the bid. Products are ordered on an as-needed basis and shipped to Distribution Services for issuance to schools and offices.

Recommendation:
Award of contract is recommended to:

City Group, Inc., Jessup, MD

Responsible school or office: Office of Operations

Contact Person: Mike Eppig

Funding Source: Office of Operations

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Award of Contract – Bus Loop Canopy at Pikesville Middle School**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard H. Cassell, Administrator, Office of Engineering and Construction
Mohammed I. Mufti, Architect, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves an award of contract.

*****

Award of Contract – Bus Loop Canopy at Pikesville Middle School.

Appendix I – Recommendation for Award of Contract

Appendix I

Recommendation for Award of Contract
Bus Loop Canopy at Pikesville Middle School
February 11, 2003

On January 23, 2003, eleven (11) bids were received for constructing a canopy at the bus loop at Pikeville Middle School - Bid #RHA-333-03. This project consists of removing and replacing the existing concrete/asphalt sidewalk with new concrete sidewalk, and installing a steel canopy with associated lighting. A summary of the bids received is attached. Based on the bids received, the Department of Physical Facilities recommends an award of contract to Jack Kidd Associates, Inc., the lowest responsive bidder, in the amount of $265,000.00 for the Base Bid plus both Add Alternates. These Add Alternates include a painted school sign and an additional portion of canopy for the accessible side entrance to the school.

At this time, we also request approval of a 10% Change Order Allocation in the amount of $26,500.00 to cover any unforeseen conditions and minor changes to the contract, to be authorized and approved by the Building Committee in accordance with Board Policy.

Funding for this project is available in Fiscal Year 2003, State Aging Schools Program.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

Baltimore County Public Schools
Pikesville Middle School ñ Bus Loop Canopy
Bid Number: RHA-333-03
Bid Due Date: January 23, 2003

Bidderís Name	Base Bid Price	Add Alternate #1	Add Alternate #2	Base Bid Plus Add Alternate #1 & #2
Jack Kidd Associates, Inc.	**$247,000.00**	**$1,500.00**	**$16,500.00**	**$265,000.00**
Orfanos Contractors, Inc.	$255,999.00	$700.00	$20,600.00	$277,299.00
Kimball Construction Company, Inc.	$268,834.00	$575.00	$16,905.00	$286,314.00
E. Pikounis Construction Company, Inc.	$294,000.00	$8,500.00	$22,500.00	$325,000.00
North Point Builders, Inc.	$295,900.00	$1,400.00	$22,200.00	$319,500.00
RJ Crowley, Inc.	$296,861.00	$1,500.00	$23,744.00	$322,105.00
Bensky Construction Company, LLC	$305,000.00	$1,000.00	$26,000.00	$332,000.00
Huntington & Hopkins, Inc.	$317,790.00	$1,098.00	$22,150.00	$341,038.00
Debar Construction, Inc.	$322,000.00	$600.00	$20,500.00	$343,100.00
MRC Construction Corporation	$360,000.00	$4,800.00	$33,000.00	$397,800.00
RWC Contracting Corporation	$399,800.00	$1,000.00	$25,000.00	$425,800.00

Add Alternate #1: Painted school sign attached to the front entrance.

Add Alternate #2: Portion of steel canopy at accessible entrance/ bus drop-off to the school.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Deer Park Elementary, Hernwood Elementary, Sandy Plains Elementary, Timber Grove Elementary, and Winfield Elementary Schools**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard Cassell, Administrator, Office of Engineering and Construction
E. Phillip Schied, Program Manager, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a request for fee acceptance.

*****

Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Deer Park Elementary, Hernwood Elementary, Sandy Plains Elementary, Timber Grove Elementary, and Winfield Elementary Schools

Appendix I – Request for Fee Acceptance

Appendix I

Request for Fee Acceptance
Design Services for Major Maintenance Renovation Projects
at Deer Park Elementary, Hernwood Elementary, Sandy Plains Elementary, Timber Grove Elementary, and Winfield Elementary Schools
February 11, 2003

In August 2002, personnel from the Department of Physical Facilities met with the Executive Director of the Maryland Public School Construction Program. The purpose of the meeting was to identify remaining potential State funds for the projects recently completed under our Phase I and II Major Maintenance Renovation Program. The State pledged funding for Deer Park Elementary, Hernwood Elementary, Sandy Plains Elementary, Timber Grove Elementary, and Winfield Elementary Schools based on estimated construction costs. The State funds received to date are based on a percentage of the actual construction costs experienced on these projects. Since the bid prices received were below the estimated construction costs, the actual State funding received was less than first anticipated.

The Department of Physical Facilities has identified a complete listing of all major items that were removed from the scope of these five original Phase II projects. These items have been grouped into a separate proposed bid package. The State has reviewed the proposed bid package and has agreed to provide their portion of the funding for the items identified.

On January 28, 2003, the Board of Education approved Johnson, Mirmiran & Thompson Engineering as one of our on-call mechanical/electrical design consultants. The Department of Physical Facilities requested a design proposal from this firm to prepare the construction documents to be issued for this work. Johnson, Mirmiran & Thompson Engineering has submitted a proposal in the amount of $175,220.00 to perform the design work associated with the construction document preparation for these five projects. This price has been reviewed by our in-house engineering staff and found reasonable. At this time, the Department of Physical Facilities requests acceptance of a negotiated fee in the amount of $175,220.00 with Johnson, Mirmiran & Thompson Engineering to prepare construction documents for Deer Park Elementary, Hernwood Elementary, Sandy Plains Elementary, Timber Grove Elementary, and Winfield Elementary Schools.

Funding for these design services is available in Capital Budget Project #665 – Major Maintenance.

APPROVED:

Donald F. Kremmel, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Owings Mills Elementary, Wellwood Elementary, and Westowne Elementary Schools**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard Cassell, Administrator, Office of Engineering and Construction
E. Phillip Schied, Program Manager, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a request for fee acceptance.

*****

Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Owings Mills Elementary, Wellwood Elementary, and Westowne Elementary Schools

Appendix I – Request for Fee Acceptance

Appendix I

Request for Fee Acceptance
Design Services for Major Maintenance Renovation Projects
at Owings Mills Elementary, Wellwood Elementary, and Westowne Elementary Schools
February 11, 2003

In August 2002, personnel from the Department of Physical Facilities met with the Executive Director of the Maryland Public School Construction Program. The purpose of the meeting was to identify remaining potential State funds for the projects recently completed under our Phase I and II Major Maintenance Renovation Program. The State pledged funding for Owings Mills Elementary, Wellwood Elementary, and Westowne Elementary Schools based on estimated construction costs. The State funds received to date are based on a percentage of the actual construction costs experienced on these projects. Since the bid prices received were below the estimated construction costs, the actual State funding received was less than first anticipated.

The Department of Physical Facilities has identified a complete listing of all major items that were removed from the scope of these three original Phase I projects. These items have been grouped into a separate proposed bid package. The State has reviewed the proposed bid package and has agreed to provide their portion of the funding for the items identified.

On January 28, 2003, the Board of Education approved Siegel, Rutherford, Bradstock & Ridgeway, Inc. as one of our on-call mechanical/electrical design consultants. The Department of Physical Facilities requested a design proposal from this firm to prepare the construction documents to be issued for this work. Siegel, Rutherford, Bradstock & Ridgeway, Inc. has submitted a proposal in the amount of $52,200.00 to perform the design work associated with the construction document preparation for these three projects. This price has been reviewed by our in-house engineering staff and found reasonable. At this time, the Department of Physical Facilities requests acceptance of a negotiated fee in the amount of $52,200.00 with Siegel, Rutherford, Bradstock & Ridgeway, Inc. to prepare construction documents for Owings Mills Elementary, Wellwood Elementary, and Westowne Elementary Schools.

Funding for these design services is available in Capital Budget Project #665 – Major Maintenance.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Logan Elementary, Pinewood Elementary, Red House Run Elementary, and Seneca Elementary Schools**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard Cassell, Administrator, Office of Engineering and Construction
E. Phillip Schied, Program Manager, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a request for fee acceptance.

*****

Fee Acceptance – Design Services for Major Maintenance Renovation Projects at Logan Elementary, Pinewood Elementary, Red House Run Elementary, and Seneca Elementary Schools

Appendix I – Request for Fee Acceptance

Appendix I

Request for Fee Acceptance
Design Services for Major Maintenance Renovation Projects
at Logan Elementary, Pinewood Elementary, Red House Run Elementary,
and Seneca Elementary Schools
February 11, 2003

In August 2002, personnel from the Department of Physical Facilities met with the Executive Director of the Maryland Public School Construction Program. The purpose of the meeting was to identify remaining potential State funds for the projects recently completed under our Phase I and II Major Maintenance Renovation Program. The State pledged funding for Logan Elementary, Pinewood Elementary, Red House Run Elementary, and Seneca Elementary Schools based on estimated construction costs. The State funds received to date are based on a percentage of the actual construction costs experienced on these projects. Since the bid prices received were below the estimated construction costs, the actual State funding received was less than first anticipated.

The Department of Physical Facilities has identified a complete listing of all major items that were removed from the scope of these four original Phase II projects. These items have been grouped into a separate proposed bid package. The State has reviewed the proposed bid package and has agreed to provide their portion of the funding for the items identified.

On January 28, 2003, the Board of Education approved Colimore Gallow Associates as one of our on-call architectural design consultants. The Department of Physical Facilities requested a design proposal from this firm to prepare the construction documents to be issued for this work. Colimore Gallow Associates has submitted a proposal in the amount of $214,681.48 to perform the design work associated with the construction document preparation for these three projects. This price has been reviewed by our in-house engineering staff and found reasonable. At this time, the Department of Physical Facilities requests acceptance of a negotiated fee in the amount of $214,681.48 with Colimore Gallow Associates to prepare construction documents for Logan Elementary, Pinewood Elementary, Red House Run Elementary, and Seneca Elementary Schools.

Funding for these design services is available in Capital Budget Project #665 – Major Maintenance.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Request to Negotiate – On-Call Reroofing Design Services at Various Schools**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Cornell S. Brown, Administrator, Office of Comprehensive Maintenance and Construction
MacArthur Chavis, Project Administrator, Office of Comprehensive Maintenance and Construction

RECOMMENDATION

That the Board of Education approves a request to negotiate.

*****

Request to Negotiate – On-Call Reroofing Design Services at Various Schools.
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Appendix I – Request to Negotiate

Appendix I

Request to Negotiate
On-Call Reroofing Design Services at Various Schools
February 11, 2003

To address numerous requests for investigating projects, preparing cost estimates, and developing designs for various roofing issues, the Department of Physical Facilities requires the use of consultants on an "on-call" basis. In order to obtain these services, an on-call reroofing design service contract was advertised. All procedures in the Board of Education's Policy and Rule, Section 3250 were followed to advertise, qualify, interview, and select consultants.

In December 2002, the Qualification Committee met and reviewed the "expressions of interest" submitted by seven (7) consultants. This information was reviewed and graded with the Qualification Committee stating that four (4) qualified firms should be considered by the Selection Committee.

The Selection Committee met on January 22, 2003 to discuss the Qualification Committee's report and discuss the consultants' "expressions of interest." The Selection Committee recommends that approval be given to begin contract negotiations with the following firms:

Gale and Associates, Inc.
MACTEC, Inc.
AS Architects, Inc.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

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BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Request for Contract Award – Construction Manager at Risk at Maiden Choice School**

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

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

RECOMMENDATION

That the Board of Education approves a construction manager at risk contract award.

*****

Request for Contract Award – Construction Manager at Risk at Maiden Choice School.

Appendix I – Contract Award

Appendix I

Recommendation for Contract Award
Construction Manager at Risk at Maiden Choice School
February 11, 2003

Baltimore County Public Schools has terminated the original contract for the Major Maintenance Renovation Project at Maiden Choice School. In order to resume work on this project in a safe manner that prevents any further delays, and in accordance with BCPS Policy and Superintendent's rule 3215 and Purchasing Procedure No. OP4003.13, the Department of Physical Facilities recommended an emergency procurement for the completion of all remaining work on this renovation. This request was subsequently approved by the Board of Education at their January 28, 2003 meeting. To address the sensitive nature of the school-based population and given the timeframe for completion, the Department of Physical Facilities recommends the continuation of this renovation utilizing the services of a Construction Manager at Risk. In consultation with the Law Office and the Office of Purchasing, the Department of Physical Facilities has solicited interest from prequalified Construction Management firms to complete this renovation project. Based upon the selection criteria, the Department of Physical Facilities recommends a Construction Manager at Risk contract be awarded to Brawner Company, Inc. (Huntington & Hopkins, Inc.) in the amount of $1,995,400.00.

At this time, we also request approval of a 10% Change Order Allocation in the amount of $199,540.00 to cover any unforeseen conditions and minor changes to the contract, to be authorized and approved by the Building Committee in accordance with Board Policy.

Funding for this project is available in the Capital Budget Project #665- Major Maintenance.

APPROVED:

Donald H. Kraemer, Ph.D.
Executive Director of Facilities

APPROVED:

Richard Gay
Purchasing Manager

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Request for Increase in Contingency – Major Maintenance Renovation Project at Sandy Plains Elementary School**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard Cassell, Administrator, Office of Engineering and Construction
E. Phillip Schied, Program Manager, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves an increase to the contingency allocation.

*****

Request for Increase in Contingency - Major Maintenance Renovation Project at Sandy Plains Elementary School.

Appendix I – Request for Increase to Contingency

Appendix I

Request for Increase in Contingency
Major Maintenance Renovation Project at Sandy Plains Elementary School
February 11, 2003

On January 29, 2002, the Board of Education approved an award of contract with RWC Contracting Corporation to perform the Major Maintenance Renovation Project at Sandy Plains Elementary School. During the course of construction, numerous code violations were identified that needed to be corrected. The Life-Safety related items were handled immediately during construction while pricing was requested of the contractor to repair the other items noted. The contractor's cost estimates associated with the code violations and minor unforeseen conditions total $50,900.00.

The Department of Physical Facilities requests approval to increase the project contingency in the amount of $21,700.00 to cover the costs associated with this work. The final contingency for this project, provided this requested increase is approved, will equal $130,500.00 or approximately 6.0% of the total contract award of $2,176,000.00.

Funding for this increase contingency allocation is available through Capital Budget Project #665 – Major Maintenance.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: February 11, 2003

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **Request for Change Order – Design Services for Science Room Renovations at Woodlawn High School**

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

RESOURCE PERSON(S): Donald F. Krempel, Ph.D., Executive Director, Department of Physical Facilities
Richard H. Cassell, Administrator, Office of Engineering and Construction
Randolph Smith, Architectural Coordinator, Office of Engineering and Construction

RECOMMENDATION

That the Board of Education approves a change order.

*****

Request for Change Order – Design Services for Science Room Renovations at Woodlawn High School.

Appendix I – Request Approval of Change Order

Appendix I

Request for Approval of Change Order
Design Services for Science Room Renovations at Woodlawn High School
February 11, 2003

On September 12, 2000, the Board of Education approved a negotiated fee with Grieves, Worrall, Wright & O'Hatnick, Inc. to provide design services associated with the renovation of science classrooms at Woodlawn High School. Now that the science room renovations and the new addition are complete, a suitable location has been identified for constructing a science preparation room and associated spaces. The science preparation room will require extensive modifications to the mechanical (air handling and exhaust), the plumbing (including sanitary disposal), and the electrical systems. Major modifications to existing cabinetry will also be required. The Department of Physical Facilities has requested a proposal from the design consultant to prepare the necessary drawings for this preparation room. The proposal has been reviewed by our in-house staff and found acceptable.

At this time, the Department of Physical Facilities requests approval of a negotiated change order in the amount of $28,891.00 with Grieves, Worrall, Wright & O'Hatnick, Inc. to provide design services and construction administration services for constructing a science preparation room and associated spaces.

Funding for this Change Order is available from Capital Budget Project # 666 – Alterations/Code Updates/Restorations.

APPROVED:

Donald F. Krempel, Ph.D.
Executive Director

RESOLUTION

WHEREAS, The Baltimore County Public Schools designate certain days as "non-play" days for purposes of athletic competition and other athletic events; and

WHEREAS, Many of these dates are national or traditional holidays, on which many of the students who might otherwise desire to participate may be commemorating the day in the spirit of the national or traditional celebration; and

WHEREAS, One such date is Dr. Martin Luther King, Jr., Day, a day that is recognized as a Federal and State Holiday, and a day on which students are encouraged to explore ways to honor the memory of Dr. King; and

WHEREAS, The Baltimore County Public Schools do not permit the scheduling or rescheduling of previously-scheduled athletic events on certain national and traditional holidays; and

WHEREAS, For the benefit of all public school students throughout the State and in the spirit of free and fair competition, it is advisable for all jurisdictions in the State to enforce the no-play policy for athletic events or athletic competition on certain national or traditional holidays so that no student athlete is competitively disadvantaged; now, therefore, be it;

RESOLVED, That the Board of Education of Baltimore County take all appropriate steps to encourage the school systems of the State to formulate and to enforce a uniform policy, refraining from the scheduling or rescheduling of athletic competition and athletic events on agreed-upon national or traditional holidays, and be it further

RESOLVED, That the Board of Education of Baltimore County distribute this resolution to the Maryland Association of Boards of Education, the Maryland State Department of Education, other boards of education throughout the State, the Public School Superintendents' Association of Maryland, and the Maryland Association of Athletic Directors, and similar organizations, and be it further

RESOLVED, That the Board of Education of Baltimore County directs a copy of this resolution to be recorded among the permanent records of the Board of Education of Baltimore County.

_____ _____

Donald L. Arnold, President Joe A. Hairston, Secretary-Treasurer

February 11, 2003

KEY SCHOOL LEGISLATION
FEBRUARY 11, 2003

SB 5 (HB 11) SB 75 Public Charter School Act of 2003
These bills represent a re-introduction of legislation that has failed to pass during recent Sessions. These bills would enable local boards of education to grant charters that establish public charter schools. Staff members of a public school, parents or guardians of public school students, and public institutions of higher education may submit an application to establish a public charter school. Private, parochial, and home schools are not eligible to become a public charter school. Public charter schools would receive funds from the local board in the amount of the per pupil basic current expense figure. In addition, the local board and the public charter school can negotiate for additional funding.

The State Board of Education is required to submit an evaluation report of the Public Charter School Program to the General Assembly. This bill takes effect July 1, 2003.

Attached you will find an extensive analysis of this concept as composed by the Department of Legislative Services last Session.

We have been advised that the Governor favors Charter School legislation; however, we do not know if these bills represent his thoughts, and perhaps an Administration bill might be forthcoming.

***SB 388 (HB 859) Education – Public School Charter School Act of 2003**
This Administration bill, if passed, would authorize the State Board of Education, local boards of education, public institutions of higher education, or any other entity designated by the State Board of Education to Charter "public charter schools" within local jurisdictions. These schools would be independent legal entities, able to receive state, federal, and local per-pupil funds normally designated for regular public school. Chartered Schools may receive exemption from certain state education regulations and all local district laws or regulations. Also, any collective bargaining units in a charter school must be separate from other bargaining units and withdraw from any bargaining unit representing other teachers in the county.

This legislation would allow a chartering agent, other than a local board, to establish a school within the local board's jurisdiction even if the local board, which must fund the school, deems it inappropriate.

* Added since previous Board meeting

SB 32 Education – Children in Out-of-County Living Arrangements – Informal Kinship Care
This year's legislation is the outcome of staff collaboration with Senator Delores Kelley to expedite the provision of educational services to children experiencing "hardships" and as a result of living in a "kinship care" arrangement.

This bill requires a county school superintendent to allow a student whose parent or guardian resides in another school district to attend the local public school system if the student is living with a relative within the school district due to a serious family hardship. The student's relative must be providing informal kinship care to the student. The student's relative must sign a sworn affidavit that includes the student's old and new addresses and defines the family hardship and provide supporting documentation verifying the serious family hardship. The affidavit must be filed annually, and if a change in the care of the student occurs, the relative must notify the local school system in writing within 30 days of the change. Unless a court appoints a different guardian for the student, the student's relative providing informal kinship care shall make educational decisions for the student.

The bill also allows the county receiving the student to collect payments from the county transferring the student.

Since the printing of the bill, we have suggested a clarifying amendment to hardship #6 on pages 4 and 5 of the bill.

Support is recommended for SB 32 with amendment.

SB 66 Sales and Use Tax – Annual Back-to-School Tax-Free Week
This legislation, sponsored by Baltimore County Senators Brochin and Klausmeier, would add specified "school supplies" to the exemption from sales taxes during the "tax-free week for back-to-school shopping" in Maryland.

Support is recommended.

SB 81 Education – County School Board – Authority to Remove County Superintendents
Following the action of the State Superintendent of Schools to block the dismissal of their Superintendent by the Prince George's County Board of Education, several local boards have sought a change in State law to allow a local board authority to dismiss a Superintendent exclusive of any actions by the State Superintendent or Board.

This legislation would make that statutory clarification and allow removal subject to the terms of the contract between the Superintendent and the County Board or for cause.

Staff members do not suggest recommendations in matters of this nature.

* Added since previous Board meeting

***SB 395 Commercialism in Schools Act of 2003 – Policy**
This legislation, which has been unsuccessful in 2001 and 2002, would statutorily mandate local school board policies regarding the prohibition of certain advertising and/or contracts between Boards and vendors.

While the stated intention of the sponsors of this bill has been the protection of students, this law would supersede the role and responsibilities of local boards of education to consider and implement school policy in this area.

***HB 245 (SB 178) Residential Child Care Programs – State-Funded Operators – Licensing Provisions**
Speaker Pro Tem Jones and Senator Kelley have introduced this legislation to strengthen the standards for licensure of residential child care programs by the addition of a new subsection to the Education Article. The operator must expeditiously obtain the academic records of a child from the transferring school and send the records to the school that the child will be attending while living in the operator's care. The licensed operator must also meet with the child's teacher at the time of enrollment and at any other time the school or teacher requests, and sign and return the student's report card to the school. The state agency that licenses the operator must notify the operator of these requirements. A residential child care program includes group homes, alternative living units, and emergency shelter care.

Staff recommends approval.

***HB 778 Education – Baltimore County – Public School Employees**
This legislation would clarify unit membership eligibility for supervisory employees whose jobs do not require educational certification. Language also clarified that Baltimore County may have three non-supervisory units under the subtitle governing organizations of certificated employees.

Staff recommends Board support of the new language proposed but suggests amendments to Section 2 on the last page of the bill. This section, as written, can be construed to grant permanent representation rights to the current bargaining agent without the right to challenge said agent pursuant to methods of designating an agent by unit member election.

* Added since previous Board meeting

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: **February 11, 2003**

TO: **BOARD OF EDUCATION**

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

SUBJECT: **Public Charter School Act of 2003**

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

RESOURCE PERSON(S):

RECOMMENDATION

Requires additional discussion

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This Administration bill, if passed, would authorize the State Board of Education, local boards of education, public institutions of higher education, or any other entity designated by the State Board of Education to Charter "public charter schools" within local jurisdictions. These schools would be independent legal entities, able to receive state, federal, and local per-pupil funds normally designated for regular public school. Chartered Schools may receive exemption from certain state education regulations and all local district laws or regulations. Also, any collective bargaining units in a charter school must be separate from other bargaining units and withdraw from any bargaining unit representing other teachers in the county.

This legislation would allow a chartering agent, other than a local board, to establish a school within the local board's jurisdiction even if the local board, who must fund the school, deems it inappropriate.

Attached are copies of the Department of Legislative Services' analysis of the bill and the position and testimony of the Maryland Association of Boards of Education.

Attachment I – SB 388
Attachment II – Analysis of the Bill
Attachment III – MABE Testimony
Attachment IV – Synopsis of SB 388

SENATE BILL 388

Unofficial Copy 2003 Regular Session
F1 3lr0151
CF 3lr0152

By: **The President (By Request - Administration) and Senators Greenip, Stone, Brinkley, Colburn, Hafer, Giannetti, Haines, Harris, Hooper, Jacobs, Kittleman, Mooney, Munson, Pipkin, Schrader, and Stoltzfus**
Introduced and read first time: January 31, 2003
Rules suspended
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Education - Public Charter School Act of 2003

FOR the purpose of establishing certain public school chartering authorities; establishing the rights and duties of the public school chartering authorities; enabling the public school chartering authorities to grant charters for public charter schools; establishing the entities that may or may not apply for a charter; establishing an application process for charter schools; permitting existing public schools to convert to public charter schools under certain circumstances; allowing for the establishment of new public charter schools; establishing an appeals process for applicants who have been denied a charter; requiring certain charter agreements between the public charter schools and the county boards; establishing certain rights and duties of public charter schools; establishing an admissions policy for public charter schools; prohibiting the charging of tuition and certain fees at public charter schools; authorizing the State Board or the county boards to grant public charter schools certain waivers under certain circumstances; requiring the State Board and the county boards to designate certain funds for students who attend public charter schools; requiring certain employees at public charter schools to possess appropriate Maryland certification or qualified alternative certification; requiring the Department of Education to conduct certain assessments of public charter schools; requiring public charter schools to submit certain reports; authorizing negotiations between the public charter schools and the county boards; guaranteeing certain rights for employees of public charter schools; establishing a general grievance and appeals process for certain persons; requiring the county boards to grant initial charters for up to a certain number of years; exempting public charter schools from certain local and State laws and regulations; providing that the county boards may renew charters for subsequent periods for up to a certain number of years; establishing the conditions for the revocation of the charters, as well as an appeals process; permitting county boards to recover certain property from former public charter schools; providing for certain transportation responsibilities, the length of school days, attendance, withdrawal and discipline of students, and complaint

procedures relating to public charter schools; requiring the State Board to submit an evaluation and report concerning public charter schools by a certain date; defining certain terms; and generally relating to the establishment of public charter schools in the State.

BY repealing and reenacting, without amendments,
Article - Education
Section 1-101(d), (e), (f), and (l)
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

BY adding to
Article - Education
Section 9-101 through 9-115, inclusive, to be under the new title "Title 9. Public Charter School Program"
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

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

Article - Education

1-101.

(d) "County board" means the board of education of a county and includes the Baltimore City Board of School Commissioners.

(e) (1) "County superintendent" means the county superintendent of schools of a county.

(2) "County superintendent" includes the Chief Executive Officer of the Baltimore City Board of School Commissioners and the Chief Executive Officer of the New Prince George's County Board of Education.

(f) "Department" means the State Department of Education.

(l) "State Board" means the State Board of Education.

TITLE 9. PUBLIC CHARTER SCHOOL PROGRAM.

9-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "APPLICANT" MEANS A PERSON OR ENTITY THAT APPLIES FOR A CHARTER, INCLUDING:

(1) AN INDIVIDUAL OR GROUP OF INDIVIDUALS;

(2) A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE;

(3) AN EXISTING PUBLIC SCHOOL;

(4) A NONPROFIT CORPORATION; OR

(5) ANY COMBINATION OF PERSONS OR ENTITIES SPECIFIED IN ITEMS (1) THROUGH (4) OF THIS PARAGRAPH.

(C) "PUBLIC CHARTER SCHOOL" MEANS A PUBLIC ELEMENTARY OR SECONDARY SCHOOL THAT:

(1) IS CREATED IN ACCORDANCE WITH § 9-104 OF THIS SUBTITLE;

(2) IS DEVELOPED AS A NEW PUBLIC SCHOOL OR IS ADAPTED FROM AN EXISTING PUBLIC SCHOOL UNDER THIS TITLE;

(3) IS OPERATED UNDER PUBLIC SUPERVISION AND DIRECTION;

(4) HAS A SET OF EDUCATIONAL GOALS ON WHICH THE APPLICANT AND THE PUBLIC SCHOOL CHARTERING AUTHORITY AGREE;

(5) PROVIDES A PROGRAM OF ELEMENTARY OR SECONDARY EDUCATION, OR BOTH;

(6) IS NONSECTARIAN AND NONRELIGIOUS IN ITS EDUCATIONAL PROGRAM, ADMISSIONS POLICIES, EMPLOYMENT POLICIES, AND OPERATIONS;

(7) IS TUITION-FREE;

(8) IS SUBJECT TO FEDERAL AND STATE LAWS PROHIBITING DISCRIMINATION;

(9) IS IN COMPLIANCE WITH ALL APPLICABLE HEALTH AND SAFETY LAWS;

(10) IS EXEMPT FROM ALL PROVISIONS OF THIS ARTICLE, AND ALL LOCAL SCHOOL DISTRICT LAWS OR REGULATIONS, EXCEPT AS SPECIFIED IN THIS TITLE, ALTHOUGH IT MAY CHOOSE TO COMPLY WITH ONE OR MORE PROVISIONS;

(11) IS NOT EXEMPT FROM ANY FEDERAL LAWS OR REGULATIONS APPLICABLE TO PUBLIC SCHOOLS IN THE STATE;

(12) MAY CONSIST OF A NEW SCHOOL OR ANY PORTION OF AN EXISTING PUBLIC SCHOOL; AND

(13) MAY BE LOCATED IN PART OF AN EXISTING PUBLIC SCHOOL BUILDING, IN A PRIVATE BUILDING, IN A PUBLIC BUILDING, OR ANY OTHER SUITABLE LOCATION.

(D) "CHARTER" MEANS A CONTRACT BETWEEN AN APPLICANT AND A PUBLIC SCHOOL CHARTERING AUTHORITY AND SHALL INCLUDE ALL AGREEMENTS BETWEEN THE PUBLIC CHARTER SCHOOL AND THE PUBLIC SCHOOL CHARTERING AUTHORITY THAT MAY BE AMENDED ONLY BY WRITTEN MUTUAL AGREEMENT, INCLUDING:

(1) MATTERS RELATING TO THE OPERATION OF THE SCHOOL, INCLUDING BUDGETING, CURRICULUM, THE ACQUISITION OF REAL PROPERTY, THE RECEIPT AND DISBURSEMENT OF FUNDS, DEBT POLICIES, AND THE SOLICITATION OF GIFTS AND GRANTS;

(2) AUDIT REQUIREMENTS;

(3) A PERFORMANCE AGREEMENT REQUIRING THAT THE ACADEMIC ACHIEVEMENT OF THE STUDENTS ENROLLED AT A PUBLIC CHARTER SCHOOL BE MEASURED ACCORDING TO:

(I) STATE AND FEDERAL TESTING ASSESSMENTS REQUIRED FOR OTHER PUBLIC SCHOOLS; AND

(II) OTHER ASSESSMENTS MUTUALLY AGREED TO BY THE PUBLIC CHARTER SCHOOL AND THE PUBLIC SCHOOL CHARTERING AUTHORITY; AND

(4) A DESCRIPTION OF INNOVATIVE LEARNING PROGRAMS TO BE IMPLEMENTED AND THE EDUCATIONAL RESEARCH OPPORTUNITIES TO BE IMPLEMENTED.

(E) "PUBLIC SCHOOL CHARTERING AUTHORITY" MEANS ONE OF THE FOLLOWING:

(1) THE STATE BOARD;

(2) A COUNTY BOARD OF THE COUNTY IN WHICH THE PROPOSED PUBLIC CHARTER SCHOOL IS LOCATED;

(3) A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE; OR

(4) ANY OTHER ENTITY DESIGNATED BY THE STATE BOARD AS A PUBLIC SCHOOL CHARTERING AUTHORITY.

9-102.

THE GENERAL ASSEMBLY FINDS THAT CHARTER SCHOOLS, AS PART OF THE PROGRAM OF PUBLIC EDUCATION OFFERED IN THE STATE CAN:

(1) PROVIDE INNOVATIVE AND AUTONOMOUS LEARNING PROGRAMS;

(2) OFFER PUBLIC SCHOOL STUDENTS APPROPRIATE AND INNOVATIVE CHOICES;

(3) AFFORD VARIED OPPORTUNITIES FOR PROFESSIONAL EDUCATORS;

(4) ALLOW PUBLIC SCHOOLS FREEDOM AND FLEXIBILITY IN EXCHANGE FOR EXCEPTIONAL LEVELS OF ACCOUNTABILITY; AND

(5) PROVIDE PARENTS, STUDENTS, COMMUNITY MEMBERS, AND LOCAL ENTITIES WITH AN EXPANDED OPPORTUNITY FOR INVOLVEMENT IN THE PUBLIC SCHOOL SYSTEM.

9-103.

(A) A PUBLIC SCHOOL CHARTERING AUTHORITY:

(1) MAY GRANT CHARTERS THAT ESTABLISH PUBLIC CHARTER SCHOOLS;

(2) SHALL DISSEMINATE INFORMATION CONCERNING THE ESTABLISHMENT, CURRICULUM, AND OPERATION OF PUBLIC CHARTER SCHOOLS;

(3) MAY NOT GRANT A CHARTER UNDER THIS TITLE TO:

(I) A PRIVATE SCHOOL;

(II) A PAROCHIAL SCHOOL; OR

(III) A HOME SCHOOL; AND

(4) MAY REVOKE A CHARTER GRANTED UNDER THIS TITLE OR PLACE A PUBLIC CHARTER SCHOOL ON PROBATIONARY STATUS AND ESTABLISH A DATE BY WHICH A REMEDIAL PLAN MUST BE IMPLEMENTED:

(I) IF THE SCHOOL HAS NOT FULFILLED A CONDITION IMPOSED BY THE PUBLIC SCHOOL CHARTERING AUTHORITY IN CONNECTION WITH THE GRANTING OF THE CHARTER;

(II) IF THE SCHOOL HAS MATERIALLY VIOLATED A CONDITION, STANDARD, OR PROCEDURE OF THE CHARTER;

(III) IF THE SCHOOL HAS VIOLATED ANY REGULATION ADOPTED UNDER THIS TITLE, OR OF ANY OTHER LAW THAT RELATES TO A PUBLIC CHARTER SCHOOL;

(IV) IF THE SCHOOL FAILS TO MEET GENERALLY ACCEPTED STANDARDS OF FISCAL MANAGEMENT;

(V) IF THE SCHOOL FAILS TO MEET THE STUDENT ACADEMIC PERFORMANCE REQUIREMENTS CONTAINED IN THE CHARTER; OR

(VI) IF TWO-THIRDS OF THE FACULTY AND INSTRUCTIONAL SUPPORT PERSONNEL AT THE SCHOOL REQUEST THAT THE CHARTER BE REVOKED.

(B) (1) IF THE REMEDIAL PLAN IS SUCCESSFUL, THE PUBLIC SCHOOL CHARTERING AUTHORITY:

(I) MAY RENEW THE CHARTER FOR ANOTHER 5-YEAR PERIOD; OR

(II) REEVALUATE THE CHARTER AFTER AT LEAST 1 YEAR BUT NOT MORE THAN 2 YEARS UNDER THE REMEDIAL PLAN, FOR RENEWAL FOR A 5-YEAR PERIOD.

(2) IF THE REMEDIAL PLAN IS UNSUCCESSFUL, THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY REVOKE THE CHARTER, AFTER FIRST GIVING THE CHARTER SCHOOL NOTICE IN WRITING 90 DAYS BEFORE REVOCATION.

(3) IF THE PUBLIC SCHOOL CHARTERING AUTHORITY REVOKES THE CHARTER, THE REMAINING FUNDS ALLOCATED BY THE STATE BOARD OR COUNTY BOARD FOR THE ENROLLED STUDENTS SHALL REVERT TO THE BOARD THAT DISBURSED THE FUNDS TO THE PUBLIC CHARTER SCHOOL.

(4) (I) THE PUBLIC CHARTER SCHOOL MAY APPEAL IN WRITING THE REVOCATION TO THE STATE BOARD WITHIN 30 DAYS OF THE PUBLIC SCHOOL CHARTERING AUTHORITY'S DECISION, AND MUST SEND A COPY OF ITS APPEAL TO THE PUBLIC SCHOOL CHARTERING AUTHORITY AT THE SAME TIME.

(II) ANY RESPONSE FROM THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL BE SUBMITTED IN WRITING TO THE STATE BOARD WITHIN 15 DAYS AFTER NOTIFICATION OF THE APPEAL.

(III) THE STATE BOARD HAS 60 DAYS FROM THE TIME IT RECEIVES THE APPLICANT'S APPEAL TO REJECT OR ACCEPT THE DECISION OF THE PUBLIC SCHOOL CHARTERING AUTHORITY.

(C) AFTER THE FIRST 5 YEARS OF THE CHARTER, THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL CONDUCT AN EVALUATION OF THE CHARTER BY WHICH IT SHALL:

(1) APPROVE THE CHARTER FOR ANOTHER 5-YEAR PERIOD;

(2) PLACE THE PUBLIC CHARTER SCHOOL ON PROBATION IF ANY OF THE CONDITIONS LISTED UNDER PARAGRAPH (A)(4) OF THIS SUBSECTION OCCUR; OR

(3) REVOKE THE CHARTER AND DISSOLVE IT UNDER THE PROVISIONS OF LAW.

(D) (1) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL BE RESPONSIBLE FOR OVERSIGHT OF THE PUBLIC CHARTER SCHOOL.

(2) EACH PUBLIC CHARTER SCHOOL SHALL SUBMIT AN ANNUAL REPORT TO:

(I) THE PUBLIC SCHOOL CHARTERING AUTHORITY; AND

(II) EACH PARENT OR GUARDIAN OF THE PUBLIC CHARTER SCHOOL'S ENROLLED STUDENTS.

(3) THE ANNUAL REPORT SHALL INCLUDE AT LEAST THE FOLLOWING COMPONENTS:

(I) DISCUSSION OF PROGRESS MADE TOWARD THE ACHIEVEMENT OF THE GOALS SET FORTH IN THE CHARTER; AND

(II) A FINANCIAL STATEMENT SETTING FORTH BY APPROPRIATE CATEGORIES EXPENDITURES FOR THE SCHOOL YEAR JUST ENDED.

(E) THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY CONDUCT A FINANCIAL, PROGRAMMATIC, OR COMPLIANCE AUDIT OF A PUBLIC CHARTER SCHOOL.

9-104.

(A) A PUBLIC SCHOOL CHARTERING AUTHORITY SHALL PUBLISH AN APPLICATION PROCESS FOR AN APPLICANT TO FOLLOW WHEN APPLYING FOR A CHARTER TO ESTABLISH A PUBLIC CHARTER SCHOOL.

(B) THE APPLICATION FOR A CHARTER SHALL INCLUDE:

(1) IDENTIFICATION OF THE APPLICANT;

(2) A STATEMENT DEFINING THE MISSION, ORGANIZATIONAL STRUCTURE, AND GOVERNANCE PLAN, INCLUDING THE FOLLOWING:

(I) MISSION STATEMENT OF THE PROPOSED PUBLIC CHARTER SCHOOL;

(II) CURRICULUM AND INSTRUCTIONAL METHODS;

(III) METHODS OF PUPIL ASSESSMENT AND MOTIVATION;

(IV) NAME OF THE SCHOOL, WHICH MUST INCLUDE THE PHRASE "PUBLIC CHARTER SCHOOL" IN ITS NAME;

(V) ADMISSIONS POLICY;

(VI) SCOPE, SIZE, GRADE LEVEL, AND ENROLLMENT OF THE PROPOSED PUBLIC CHARTER SCHOOL;

(VII) BYLAWS AND REGULATIONS OF THE PROPOSED PUBLIC CHARTER SCHOOL, INCLUDING EMPLOYMENT CONTRACT FOR PROSPECTIVE EMPLOYEES;

(VIII) THE STRUCTURE OF THE GOVERNING BOARD, INCLUDING:

1. THE QUALIFICATIONS FOR MEMBERS OF THE BOARD; AND

2. THE METHOD OF APPOINTMENT OR ELECTION OF THE MEMBERS;

(IX) THE EFFECTIVE DATE OF THE PUBLIC CHARTER SCHOOL; AND

(X) THE SPECIFIED NUMBER OF SCHOOL DAYS AND HOURS OF OPERATION.

(C) IF THE APPLICATION IS DENIED BY A PUBLIC SCHOOL CHARTERING AUTHORITY UNDER § 9-101(E)(2) OR (E)(3), THE APPLICANT MAY APPEAL THE DECISION TO THE STATE BOARD IN THE MANNER PROVIDED UNDER § 9-107 OF THIS TITLE.

(D) IF APPROVED, A CHARTER GRANTED BY THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL BE VALID FOR 5 YEARS.

(E) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL DEVELOP GUIDELINES AND RULES FOR THE RENEWAL OF A SCHOOL'S CHARTER, WHICH SHALL INCLUDE AN EVALUATION OF:

(1) THE COSTS OF INSTRUCTION, ADMINISTRATION, AND TRANSPORTATION INCURRED BY THE ENROLLMENT IN CHARTER SCHOOLS; AND

(2) THE EFFECT OF ENROLLMENT IN PUBLIC CHARTER SCHOOLS ON SCHOOL DISTRICTS AND ON TEACHERS, STUDENTS, AND PARENTS IN THOSE DISTRICTS.

(F) THE PUBLIC SCHOOL CHARTERING AUTHORITY'S GUIDELINES AND RULES FOR RENEWAL OF A SCHOOL CHARTER MAY ALSO INCLUDE AN EVALUATION OF:

(1) STUDENT SCORES ON ASSESSMENT TESTS;

(2) STUDENT ATTENDANCE;

(3) STUDENT GRADES;

(4) INCIDENTS INVOLVING STUDENT DISCIPLINE;

(5) SOCIOECONOMIC DATA ON STUDENT FAMILIES;

(6) PARENT SATISFACTION WITH THE CHARTER SCHOOL; AND

(7) STUDENT SATISFACTION WITH THE CHARTER SCHOOL.

9-105.

(A) THERE SHALL BE NO LIMIT TO THE NUMBER OF PUBLIC CHARTER SCHOOLS THAT MAY BE ESTABLISHED IN THE STATE.

(B) A PUBLIC SCHOOL CHARTERING AUTHORITY SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION, INCLUDING TIMELINES FOR CHARTER SCHOOL APPLICATION AND APPROVAL.

(C) (1) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL REVIEW THE APPLICATION AND RENDER A DECISION WITHIN 60 DAYS OF RECEIPT OF THE APPLICATION.

(2) THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY DELAY RENDERING A DECISION FOR AN ADDITIONAL 60 DAYS FOR CAUSE.

(3) THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY USE THE SERVICES OF A CONSULTANT IN THE EVALUATION OF THE APPLICATION.

(D) (1) AN EXISTING PUBLIC SCHOOL MAY CONVERT TO A PUBLIC CHARTER SCHOOL.

(2) (I) THE STATE BOARD OR THE COUNTY BOARD SHALL DETERMINE WHETHER TO ALLOW AN EXISTING PUBLIC SCHOOL TO CONVERT TO A PUBLIC CHARTER SCHOOL.

(II) IF THE COUNTY BOARD IS THE PUBLIC SCHOOL CHARTERING AUTHORITY, THE COUNTY BOARD SHALL DETERMINE WHETHER TO ALLOW AN EXISTING PUBLIC SCHOOL TO CONVERT TO A PUBLIC CHARTER SCHOOL BY A MAJORITY VOTE OF THE COUNTY BOARD.

(III) IF THE STATE BOARD OR AN ENTITY DESIGNATED BY THE STATE BOARD IS THE PUBLIC SCHOOL CHARTERING AUTHORITY, THE APPLICANT REQUESTING THE CONVERSION OF AN EXISTING PUBLIC SCHOOL TO A PUBLIC CHARTER SCHOOL MUST PROVIDE THE STATE BOARD OR DESIGNATED ENTITY WITH A PETITION REQUESTING CONVERSION SIGNED BY A MAJORITY OF THE FACULTY OR INSTRUCTIONAL STAFF OF THE EXISTING PUBLIC SCHOOL AND A MAJORITY OF THE PARENTS OR GUARDIANS OF STUDENTS WHO ATTEND THE EXISTING PUBLIC SCHOOL.

(3) AN EMPLOYEE OF A PUBLIC SCHOOL CONVERTED TO A PUBLIC CHARTER SCHOOL WHO IS NOT EMPLOYED BY THE PUBLIC CHARTER SCHOOL SHALL BE ACCORDED THE RIGHTS AVAILABLE TO THE EMPLOYEE UNDER THE PROVISIONS OF A COLLECTIVE BARGAINING AGREEMENT AND SHALL, TO THE EXTENT PERMISSIBLE UNDER A COLLECTIVE BARGAINING AGREEMENT, BE GIVEN PREFERENCE IN FILLING POSITIONS IN THE SCHOOL DISTRICT.

(4) AN EMPLOYEE OF A PUBLIC SCHOOL CONVERTED TO PUBLIC CHARTER SCHOOL STATUS WHO IS EMPLOYED BY THE PUBLIC CHARTER SCHOOL SHALL NOT REMAIN PART OF ANY COLLECTIVE BARGAINING UNIT THAT REPRESENTED EMPLOYEES OF THE SCHOOL WHILE STILL PART OF THE SCHOOL DISTRICT.

(5) AN EMPLOYEE OF THE COUNTY BOARD WHO WORKS AT A PUBLIC CHARTER SCHOOL MAY CHOOSE TO RECEIVE THE SAME BENEFITS OF AN EMPLOYEE AT A TRADITIONAL PUBLIC SCHOOL INCLUDING:

(I) RETIREMENT BENEFITS;

(II) HEALTH CARE BENEFITS; AND

(III) ANY OTHER BENEFITS MANDATED BY THE PUBLIC SCHOOL CHARTERING AUTHORITY.

(6) (I) ANY TEACHER EMPLOYED BY THE COUNTY BOARD MAY CHOOSE TO BE AN EMPLOYEE OF A PUBLIC CHARTER SCHOOL AND SHALL HAVE THE OPTION TO ORGANIZE A COLLECTIVE BARGAINING UNIT.

(II) A BARGAINING UNIT AT A PUBLIC CHARTER SCHOOL SHALL BE SEPARATE FROM OTHER BARGAINING UNITS.

(III) A PUBLIC CHARTER SCHOOL TEACHER MAY NOT BE A MEMBER OF MORE THAN ONE BARGAINING UNIT.

(IV) A TEACHER IN A PUBLIC CHARTER SCHOOL SHALL WITHDRAW FROM ANY BARGAINING UNIT WITH WHICH THAT TEACHER MAY HAVE BEEN PREVIOUSLY AFFILIATED.

(7) A CHARTER SCHOOL EMPLOYEE IN AN INSTRUCTIONAL POSITION SHALL POSSESS:

(I) APPROPRIATE MARYLAND CERTIFICATION; OR

(II) QUALIFIED ALTERNATIVE CERTIFICATION.

(8) THE STATE BOARD SHALL ESTABLISH A QUALIFIED ALTERNATIVE CERTIFICATION PROGRAM WHICH INCLUDES:

(I) ALTERNATIVE REQUIREMENTS OF CERTIFICATION AVAILABLE FOR CANDIDATES AT ANY GRADE LEVEL AND IN ALL DISCIPLINES; AND

(II) ALLOWING A CANDIDATE, UNDER THE SUPERVISION OF A MENTOR TEACHER, TO COMMENCE EMPLOYMENT AS A TEACHER HOLDING A LIMITED STANDARD OF CERTIFICATION.

9-106.

(A) IF THE SCHOOL CAN DEMONSTRATE THAT THE WAIVER WILL ADVANCE THE EDUCATIONAL GOALS AND OBJECTIVES OF THE SCHOOL, A PUBLIC CHARTER SCHOOL SHALL RECEIVE A WAIVER OF:

(1) ANY OTHER STATE LAW OR REGULATION PERTAINING TO PUBLIC EDUCATION NOT CONTAINED IN THIS ARTICLE; OR

(2) ANY LOCAL LAW OR REGULATION PERTAINING TO PUBLIC EDUCATION.

(B) A PUBLIC CHARTER SCHOOL MAY NOT RECEIVE A WAIVER OF A REGULATION OR REQUIREMENT PERTAINING TO THE CIVIL RIGHTS OR THE HEALTH AND SAFETY OF A STUDENT OR EMPLOYEE.

9-107.

(A) (1) THE COUNTY BOARD SHALL RECEIVE AND REVIEW ALL APPLICATIONS FOR A PUBLIC CHARTER SCHOOL IN ITS COUNTY.

(2) IF THE CHARTER IS DENIED, THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL PROVIDE IN WRITING THE REASONS FOR THE DENIAL.

(3) (I) IF THE PUBLIC SCHOOL CHARTERING AUTHORITY IS THE COUNTY BOARD, A PUBLIC INSTITUTION OF HIGHER EDUCATION OR AN ENTITY DESIGNATED BY THE STATE BOARD, THE APPLICANT MAY APPEAL THE DENIAL OF THE APPLICATION OR THE IMPOSITION OF UNREASONABLE REQUIREMENTS OR CONDITIONS TO THE STATE BOARD NO LATER THAN 30 CALENDAR DAYS AFTER THE RECEIPT OF THE PUBLIC SCHOOL CHARTERING AUTHORITY'S DECISION.

(II) IN ADDITION TO THE REQUIREMENTS CONTAINED IN THIS TITLE, THE STATE BOARD MAY ESTABLISH REGULATIONS DEFINING THE APPEAL PROCESS CONSISTENT WITH THIS TITLE.

(4) ANY RESPONSE FROM THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL BE SUBMITTED IN WRITING TO THE STATE BOARD WITHIN 15 DAYS AFTER NOTIFICATION OF THE APPEAL.

(5) THE STATE BOARD HAS 60 DAYS FROM THE TIME IT RECEIVES THE APPLICANT'S APPEAL TO REJECT OR ACCEPT THE DECISION OF THE PUBLIC SCHOOL CHARTERING AUTHORITY.

(6) THE STATE BOARD'S DECISION TO APPROVE OR DENY THE APPLICATION IS FINAL AND BINDING, EXCEPT AS PROVIDED FOR IN PARAGRAPH (9) OF THIS SUBSECTION.

(7) IF THE PUBLIC SCHOOL CHARTERING AUTHORITY DENIES AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL AND THE STATE BOARD REVERSES THE DECISION, THE STATE BOARD SHALL BE THE PUBLIC SCHOOL CHARTERING AUTHORITY.

(8) IF THE STATE BOARD IS THE PUBLIC SCHOOL CHARTERING AUTHORITY, ITS DECISION ON THE APPLICATION FOR A CHARTER IS FINAL AND BINDING, EXCEPT AS PROVIDED FOR IN PARAGRAPH (9) OF THIS SUBSECTION.

(9) AN APPLICANT THAT IS DENIED A CHARTER MAY REAPPLY FOR A CHARTER TO ANY PUBLIC SCHOOL CHARTERING AUTHORITY AFTER 1 YEAR FROM THE DECISION OF:

(I) THE COUNTY BOARD;

(II) THE STATE BOARD;

(III) A PUBLIC INSTITUTION OF HIGHER EDUCATION; OR

(IV) AN ENTITY DESIGNATED BY THE STATE BOARD.

9-108.

(A) (1) A PUBLIC CHARTER SCHOOL IS AN INDEPENDENT LEGAL ENTITY THAT IS RESPONSIBLE FOR THE MANAGEMENT AND OPERATION OF ITS FISCAL AFFAIRS INCLUDING, BUT NOT LIMITED TO, THE PREPARATION OF ITS OWN BUDGET.

(2) THE PUBLIC CHARTER SCHOOL HAS COMPLETE FISCAL CONTROL OVER THE FUNDS RECEIVED BY THE PUBLIC CHARTER SCHOOL.

(B) A PUBLIC CHARTER SCHOOL CAN:

(1) SUE AND BE SUED IN ITS OWN NAME, AND ITS EMPLOYEES SHALL ENJOY THE SAME IMMUNITIES AS EMPLOYEES AND OFFICERS OF PUBLIC SCHOOL DISTRICTS AND OTHER PUBLIC SCHOOLS;

(2) ACQUIRE REAL AND PERSONAL PROPERTY OR AN INTEREST IN REAL AND PERSONAL PROPERTY BY PURCHASE, GIFT, GRANT, DEVISE, OR BEQUEST;

(3) MANAGE THE IMPLEMENTATION OF ITS APPROVED EDUCATION PROGRAM;

(4) RECEIVE AND DISBURSE FUNDS FOR PUBLIC CHARTER SCHOOL PURPOSES; AND

(5) HIRE, MANAGE, AND TERMINATE ANY SCHOOL EMPLOYEE IN ACCORDANCE WITH THE TERMS OF ITS PERSONNEL POLICIES OR ANY COLLECTIVE BARGAINING AGREEMENT IT NEGOTIATES WITH ITS EMPLOYEES.

9-109.

(A) (1) A PUBLIC CHARTER SCHOOL MAY CHOOSE TO SPECIALIZE IN PROVIDING SERVICES TO CHILDREN WHO ATTEND PUBLIC SCHOOLS THAT HAVE BEEN DETERMINED BY THE COUNTY BOARD TO BE UNDERPERFORMING AND WHO REQUEST TO TRANSFER TO A PUBLIC CHARTER SCHOOL IN THE LOCAL SCHOOL DISTRICT.

(2) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL ESTABLISH A PROCEDURE FOR THE SELECTION OF STUDENTS TO ATTEND THE SCHOOL BY THE USE OF A LOTTERY OR ANY OTHER PROCESS DEEMED APPROPRIATE IF MORE STUDENTS APPLY FOR ENROLLMENT IN THE SCHOOL THAN THERE ARE SPACES AVAILABLE.

(B) A PUBLIC CHARTER SCHOOL SHALL GIVE PRIORITY IN ENROLLMENT TO:

(1) A SIBLING OF A STUDENT WHO ATTENDS THE SCHOOL;

(2) IF AN EXISTING PUBLIC SCHOOL CONVERTS TO A PUBLIC CHARTER SCHOOL UNDER § 9-105 OF THIS TITLE, A STUDENT WITHIN THE SCHOOL ATTENDANCE AREA AS IT IS DETERMINED BY THE COUNTY BOARD; AND

(3) IF THE SCHOOL IS ESTABLISHED IN WHOLE OR IN PART BY A PARENT OR GUARDIAN OF A CHILD WHO ATTENDS A PUBLIC SCHOOL IN THE COUNTY, THE CHILD OF THAT PARENT OR GUARDIAN.

9-110.

(A) THE STATE BOARD OR A COUNTY BOARD MAY:

(1) LEASE OR SELL PROPERTY TO A PUBLIC CHARTER SCHOOL; OR

(2) LEASE SPACE WITHIN AN EXISTING PUBLIC SCHOOL FOR THE USE BY THE PUBLIC CHARTER SCHOOL.

(B) A PUBLIC CHARTER SCHOOL MAY OBTAIN, LEASE, OR BUY PROPERTY FOR THE SCHOOL.

(C) THE FACILITY THAT CONTAINS A PUBLIC CHARTER SCHOOL:

(1) SHALL CONFORM TO THE REGULATIONS FOR PUBLIC SCHOOL FACILITIES, UNLESS A WAIVER IS GRANTED BY THE STATE BOARD OR THE COUNTY BOARD; BUT

(2) MAY NOT RECEIVE A WAIVER OF HEALTH OR SAFETY REGULATIONS.

9-111.

(A) (1) A COUNTY BOARD SHALL FUND STUDENTS ENROLLED IN A PUBLIC CHARTER SCHOOL, REGARDLESS OF THE SPONSORSHIP, AT THE SAME RATE AS STUDENTS ENROLLED IN OTHER PUBLIC SCHOOLS IN THE SCHOOL DISTRICT.

(2) THE AMOUNT PAID BY A COUNTY BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE THE STATE SHARE OF BASIC CURRENT EXPENSES, CALCULATED IN ACCORDANCE WITH § 5-202 OF THIS ARTICLE.

(3) A PUBLIC CHARTER SCHOOL MAY NEGOTIATE WITH A COUNTY BOARD FOR ADDITIONAL FUNDING.

(B) THE STATE BOARD OR THE COUNTY BOARD MAY MAKE A GRANT TO A PUBLIC CHARTER SCHOOL TO PAY FOR THE START-UP COSTS OF ACQUIRING EDUCATIONAL MATERIALS AND SUPPLIES, TEXTBOOKS, FURNITURE, AND OTHER EQUIPMENT NEEDED DURING THE INITIAL TERM.

(C) (1) A PUBLIC CHARTER SCHOOL SHALL RECEIVE COUNTY, STATE, AND FEDERAL FUNDS FOR EACH STUDENT ENROLLED IN THE SCHOOL IN THE SAME MANNER THAT THE OTHER PUBLIC SCHOOLS IN THE COUNTY RECEIVE THESE FUNDS.

(2) STATE AND FEDERAL FUNDS SHALL BE DISBURSED DIRECTLY TO THE PUBLIC CHARTER SCHOOL.

9-112.

(A) (1) THE SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR THE TRANSPORTATION OF THE STUDENTS TO AND FROM THE SCHOOL; OR

(2) SHALL PROVIDE PAYMENT EQUAL TO THE AVERAGE COST PER STUDENT FOR TRANSPORTATION.

9-113.

(A) A PUBLIC CHARTER SCHOOL MAY PROVIDE A SCHOOL DAY THAT IS LONGER THAN THE SCHOOL DAY IN OTHER PUBLIC SCHOOLS WITHIN THE DISTRICT.

(B) A PUBLIC CHARTER SCHOOL SHALL COMPLY WITH THE MINIMUM REQUIREMENTS SET FORTH IN § 7-103 OF THIS ARTICLE FOR THE SCHOOL CALENDAR.

9-114.

(A) A COUNTY BOARD MAY NOT REQUIRE A STUDENT IN THE COUNTY TO ATTEND A PUBLIC CHARTER SCHOOL.

(B) A STUDENT MAY WITHDRAW FROM A PUBLIC CHARTER SCHOOL AT ANY TIME.

(C) (1) A PRINCIPAL OF A PUBLIC CHARTER SCHOOL MAY SUSPEND A STUDENT AT THE SCHOOL FOR CAUSE FOR NOT MORE THAN 10 CONSECUTIVE SCHOOL DAYS.

(2) AT THE REQUEST OF THE PRINCIPAL OF A PUBLIC CHARTER SCHOOL, THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY FOR CAUSE:

(I) SUSPEND A STUDENT AT A PUBLIC CHARTER SCHOOL FOR A PERIOD OF MORE THAN 10 CONSECUTIVE DAYS; OR

(II) EXPEL THE STUDENT FROM THE PUBLIC CHARTER SCHOOL.

(3) A STUDENT ENROLLED IN A PUBLIC CHARTER SCHOOL WHO HAS BEEN PLACED ON SUSPENSION FOR A PERIOD OF MORE THAN 10 CONSECUTIVE SCHOOL DAYS OR HAS BEEN EXPELLED MAY ENROLL IN A PUBLIC SCHOOL IN THE COUNTY IN WHICH THE STUDENT RESIDES.

(4) IF A STUDENT IS EXPELLED FROM A PUBLIC CHARTER SCHOOL, THE REMAINING FUNDS ALLOCATED BY THE STATE BOARD OR THE COUNTY BOARD FOR THE STUDENT FOR THE CURRENT ACADEMIC YEAR SHALL REVERT TO THE BOARD THAT DISBURSED THE FUNDS TO THE PUBLIC CHARTER SCHOOL.

9-115.

(A) A PERSON WHO ALLEGES THAT A PUBLIC CHARTER SCHOOL HAS VIOLATED A PROVISION OF THIS TITLE MAY FILE A COMPLAINT WITH THE PUBLIC CHARTER SCHOOL.

(B) IF THE COMPLAINT IS NOT RESOLVED BY THE PUBLIC CHARTER SCHOOL TO THE SATISFACTION OF THE COMPLAINANT, THE COMPLAINANT MAY PRESENT THE COMPLAINT TO THE PUBLIC SCHOOL CHARTERING AUTHORITY.

(C) (1) IF DISSATISFIED WITH THE PUBLIC SCHOOL CHARTERING AUTHORITY DECISION, THE COMPLAINANT MAY APPEAL THE DECISION OF THE PUBLIC SCHOOL CHARTERING AUTHORITY TO THE STATE BOARD.

(2) THE DECISION OF THE STATE BOARD ON AN APPEAL UNDER PARAGRAPH (1) OF THIS SUBSECTION IS FINAL.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2006, based on information gathered from the county boards of education, the Board of School Commissioners of Baltimore City, and the public, the State Board of Education shall submit to the General Assembly, in accordance with § 2-1246 of the State Government Article, a report on and an evaluation of the public charter school program. The report shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 388 (The President, *et al.*)
(By Request – Administration)
Education, Health, and Environmental Affairs

Education - Public Charter School Act of 2003

This Administration bill establishes a Maryland Public Charter School Program with chartering authority granted to the State Board of Education (SBE), local boards of education, public institutions of higher education, or any other entity designated by SBE. If the public school chartering authority denies the application, the applicant can appeal the decision to SBE. The decision of SBE is final. The public charter school is an independent legal entity that is responsible for the management and operation of its fiscal affairs.

The bill takes effect July 1, 2003.

Fiscal Summary

State Effect: Administrative costs within the Maryland State Department of Education (MSDE) would increase by $128,900 in FY 2004. Future year expenditures reflect annualization and inflation. State education aid could increase to the extent that the bill encourages students who currently attend private schools to attend public charter schools. Potential increase in federal funds for charter schools.

(in dollars)	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Revenues	$0	$0	$0	$0	$0
GF Expenditure	128,900	151,700	158,800	166,500	174,700
Net Effect	($128,900)	($151,700)	($158,800)	($166,500)	($174,700)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: A portion of local school expenditures would be redirected to public charter schools. State aid to local school systems and local school expenditures could increase to the extent that the bill encourages students who currently attend private schools to attend public charter schools.

Small Business Effect: The Administration has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Bill Summary: An individual or group of individuals, public institutions of higher education, existing public schools, or nonprofit corporations can apply to establish a public charter school. There is no limit to the number of public charter schools that can be established in the State. A public charter school can be either a new public school or an existing public school. Private, parochial, or home schools are not eligible to become a public charter school. Public charter schools must be nonsectarian.

Public charter schools must comply with all applicable health and safety laws and any federal law or regulation applicable to public schools in the State. However, public charter schools are exempt from certain State education regulations and all local school district laws or regulations.

Public charter schools cannot discriminate in their enrollment policies or charge tuition to students. Enrollment preferences must be granted to siblings of a student who attends the charter school, a student within the school attendance area if an existing public school converts to a charter school, and the child of a parent or guardian who establishes a public charter school.

Local boards of education must fund students enrolled in a public charter school, regardless of the sponsorship, at the same rate as students enrolled in other public schools in the county. The local payment must include the State share of basic current expenses, other State and federal funds, and other funding as negotiated by the charter school and the local board of education. State and federal funding must be disbursed directly to the public charter school. The local board of education is either responsible for student transportation or covering the costs of student transportation.

Professional staff members of a public charter school must hold the appropriate Maryland certification or qualified alternative certification. SBE must establish a qualified alternative certification program. The collective bargaining unit at a public charter

school must be separate from other bargaining units. A public charter school teacher may not be a member of more than one bargaining unit and must withdraw from any bargaining unit with which the teacher was previously affiliated.

SBE is required to submit an evaluation report of the public charter school program on or before October 1, 2006. The report must include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program.

Current Law: Local boards of education have the authority to establish public charter schools. However, there is no enabling State statute.

Background: In October 1996 SBE created a Public Charter School Study Group to explore issues that might impact charter schools in Maryland. This group presented a report to SBE and the State Superintendent of Schools in early 1997. During the same year, MSDE issued guidelines governing the establishment of public charter schools. Currently, there are no public charter schools operating in Maryland. However, there are a few schools in Baltimore City that are similar to charter schools.

Legislation enacted in 1998 established a task force to recommend legislation that would allow Maryland public charter schools to qualify and compete for start-up funds under the Federal Charter School Grant Program. The grant program is open to states that have enacted a state law authorizing the granting of charters to schools. As Maryland currently has no authorizing legislation, the task force identified the provisions that should be contained in such a law.

Charter Schools Across America

Charter school legislation has been enacted in 39 states, the District of Columbia, and Puerto Rico. The Center for Education Reform estimates that 2,696 charter schools operated in the 2002-2003 school year serving approximately 685,000 students. This represents approximately 1.3% of all students. Arizona has the most charter schools (464) serving 73,500 students. **Exhibit 1** shows the number of charter schools in operation and the number of students served during the 2002-2003 school year.

Racial Composition of Charter Schools

Based on a U.S. Department of Education report from 2000, white students comprise 48% of charter school enrollment, African-American students comprise 24%, Hispanic students comprise 21%, and Asian students comprise 3%. In addition, charter schools enroll a slightly higher percentage of students eligible for free and reduced-price lunch than do public schools (39% versus 37%).

Charter School Laws

Across the country charter school laws vary considerably and are defined as ranging from strong to weak. States in which school districts maintain the majority of the control regarding the charter contract are defined as having weak laws; states in which the school district maintains little control regarding the contract are defined as having strong laws. For example, some states such as Arizona grant maximum autonomy to charter schools, while other states such as Rhode Island and Virginia provide charter schools with limited authority.

While different in many ways, certain characteristics are common for all charter schools. Charter schools cannot charge tuition, must be nonsectarian, are subject to federal and state laws prohibiting discrimination, and must comply with all health and safety laws. In addition, most charter schools can negotiate and contract for facilities and services, acquire real property, receive and disburse funds, incur temporary debt, and operate as a business or corporation.

State Fiscal Effect: State funding for public schools could increase to the extent that establishing public charter schools encourages private school students to return to the public school system. Nationally, charter schools enroll only about 1.3% of students. Assuming public charter schools in Maryland experience similar trends, approximately 12,700 students could be enrolled in public charter schools. If a portion of these students comes from private schools, State education funding will increase. Currently 15% of students attending kindergarten through grade 12 in Maryland attend private schools.

Administrative expenditures within MSDE would increase by $128,900 in fiscal 2004, which accounts for a three-month start-up delay. The estimate reflects the cost of two new positions (an education coordinator and an office secretary) to administer and serve as a liaison to the program and $35,000 to hire consultants to assist in annual evaluations of the program. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. Future year expenditures reflect: (1) full salaries with a 4.5% annual increase and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

	Fiscal 2004
Salaries and Benefits	$80,600
Consultant Expenses	35,000
Start-up Costs	8,900
Ongoing Operating Costs	4,400
Total Expenditures	**$128,900**

Local Fiscal Effect: Pursuant to this legislation, a public charter school must be either a new public school or an existing public school. Local boards of education must fund students enrolled in a public charter school, regardless of the sponsorship, at the same rate as students enrolled in other public schools in the county. The local payment must include the State share of basic current expenses (education foundation program), other State and federal funds, and other funding as negotiated by the charter school and the local board of education. The State share of the education foundation program in fiscal 2004 totals $4,766. The total per pupil expenditures for public schools in fiscal 2004 is estimated at $9,500.

Additional Comments: Even with the availability of State and local funds, public charter schools may still incur financial difficulties. Based on a study by the National Conference of State Legislatures, locating and paying for adequate school facilities pose significant barriers to charter schools. According to this report, new charter schools rarely have a financial track record or assets that enable them to secure loans to lease or buy buildings. In addition, many charter schools do not have access to local district funds available for capital improvements (buildings and major improvements), nor do they have the ability to issue bonds. Accordingly, most charter schools must use a portion of their operating funds to purchase and maintain school facilities. In many states, charter schools are located in commercial office and retail space and other facilities that may not conform to public school standards.

Pursuant to this legislation, SBE or a local board of education may lease or sell property to a public charter school; or lease space within an existing public school for the use by the public charter school. A public charter school may obtain, lease, or buy property for the school. The facility that contains a public charter school must conform to the regulations for public school facilities, unless SBE or the local board of education grants a waiver. A waiver cannot be granted for health or safety regulations.

Another major fiscal issue involves start-up costs. According to a report by the Education Commission of the States, most charter schools have initial cash-flow problems because they do not receive any state or local money until the school year begins. Charter schools often have to take out loans for operating and start-up expenses. Further, it can be difficult for a charter school to access or receive federal categorical funds during its first year, because funding for some federal programs is based on prior year enrollment.

Pursuant to this legislation, SBE or the local board of education may make a grant to a public charter school to pay for the start-up costs of acquiring educational materials and supplies, textbooks, furniture, and other equipment needed during the initial term.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, U.S. Department of Education, National Conference of State Legislatures, Center for Education Reform, Education Commission of the States, Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2003
ncs/jr

Analysis by: Hiram L. Burch Jr.

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Exhibit 1
Charter Schools In Operation During 2002-2003 School Year

State	Year Law Enacted	Strength of Charter School Law	Number of Schools	Number of Students
Alabama	No Law		0	0
Alaska	1995	Weak	15	2,682
Arizona	1994	Strong to Medium	464	73,542
Arkansas	1995	Weak	8	1,486
California	1992	Strong to Medium	428	153,935
Colorado	1993	Strong to Medium	93	25,512
Connecticut	1996	Weak	16	2,526
Delaware	1995	Strong to Medium	11	5,262
District of Columbia	1996	Strong to Medium	39	11,530
Florida	1996	Strong to Medium	227	53,350
Georgia	1993	Weak	35	15,117
Hawaii	1994	Weak	25	3,301
Idaho	1998	Weak	13	2,694
Illinois	1996	Weak	29	10,309
Indiana	2001	Strong to Medium	10	1,275
Iowa	2002	Weak	0	0
Kansas	1994	Weak	30	2,568
Kentucky	No Law		0	0
Louisiana	1995	Weak	20	4,631
Maine	No Law		0	0
Maryland	No Law		0	0
Massachusetts	1993	Strong to Medium	46	14,013
Michigan	1993	Strong to Medium	196	60,236
Minnesota	1991	Strong to Medium	87	12,269
Mississippi	1997	Weak	1	334
Missouri	1998	Strong to Medium	26	12,130
Montana	No Law		0	0
Nebraska	No Law		0	0
Nevada	1997	Weak	13	2,851
New Hampshire	1995	Weak	0	0
New Jersey	1996	Strong to Medium	56	18,081
New Mexico	1993	Strong to Medium	28	4,234
New York	1998	Strong to Medium	38	10,954
North Carolina	1996	Strong to Medium	93	21,030
North Dakota	No Law		0	0

Exhibit 1 (continued)

State	Year Law Enacted	Strength of Charter School Law	Number of Schools	Number of Students
Ohio	1997	Strong to Medium	131	28,446
Oklahoma	1999	Weak	10	2,197
Oregon	1999	Strong to Medium	25	2,107
Pennsylvania	1997	Strong to Medium	91	33,656
Rhode Island	1995	Weak	7	914
South Carolina	1996	Weak	13	1,235
South Dakota	No Law		0	0
Tennessee	2002	Weak	0	0
Texas	1995	Strong to Medium	221	60,562
Utah	1998	Weak	12	1,259
Vermont	No Law		0	0
Virginia	1998	Weak	8	1,440
Washington	No Law		0	0
West Virginia	No Law		0	0
Wisconsin	1993	Strong to Medium	130	26,797
Wyoming	1995	Weak	1	110
United States			**2,696**	**684,575**

Source: The Center for Education Reform

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: **February 11, 2003**

TO: **BOARD OF EDUCATION**

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

SUBJECT: **Commercialism in Schools Act of 2003 – Policy**

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

RESOURCE PERSON(S):

RECOMMENDATION

That the Board oppose this legislation

* * * * *

This legislation, which has been unsuccessful in 2001 and 2002, would statutorily mandate local school board policies regarding the prohibition of certain advertising and/or contracts between Boards and vendors.

While the stated intention of the sponsors of this bill has been the protection of students, this law would supercede the role and responsibilities of local boards of education to consider and implement school policy in this area.

Attachment I – SB 395

SENATE BILL 395

Unofficial Copy 2003 Regular Session
F1 3lr0818
SB 679/02 - EHE

By: **Senators Pinsky, Britt, Frosh, and Grosfeld**
Introduced and read first time: January 31, 2003
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Commercialism in Schools Act of 2003 - Policy

FOR the purpose of requiring county boards of education to develop and adopt certain policies related to marketing and advertising in public schools; requiring county boards to submit certain policies to the State Department of Education by a certain date; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to limiting and prohibiting advertising and marketing in public schools.

BY adding to
Article - Education
Section 7-1201 to be under the new subtitle "Subtitle 12. Commercialism in Schools"
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

Preamble

WHEREAS, Schools are experiencing increasing financial hardships and are compelled to accept commercial advertisements to receive goods and services otherwise unavailable to the school due to high cost; and

WHEREAS, Maryland has the opportunity to address the issue of commercialism in schools and to release Maryland students from their role as captive audience to commercial interest; now, therefore,

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

Article - Education

SUBTITLE 12. COMMERCIALISM IN SCHOOLS.

7-1201.

(A) EACH COUNTY BOARD SHALL:

(1) DEVELOP AND ADOPT A POLICY PROHIBITING THE POSTING OF COMMERCIAL ADVERTISEMENTS ON THE EXTERIOR OR INTERIOR OF SCHOOL BUSES OWNED OR USED BY THE COUNTY;

(2) DEVELOP AND ADOPT A POLICY PROHIBITING THE ENTERING INTO OF A CONTRACT FOR ELECTRONIC PRODUCTS OR SERVICES THAT REQUIRES THE DISSEMINATION OF ADVERTISING TO STUDENTS, UNLESS THE COUNTY BOARD:

(I) ENTERS INTO THE CONTRACT AT A PUBLIC HEARING OF THE COUNTY BOARD;

(II) MAKES A FINDING THAT THE ELECTRONIC PRODUCTS OR SERVICES PROVIDE OR WILL PROVIDE AN INTEGRAL COMPONENT OF THE CURRICULUM;

(III) MAKES A FINDING THAT THE COUNTY CANNOT AFFORD TO PROVIDE THE ELECTRONIC PRODUCTS OR SERVICES UNLESS THE CONTRACT PERMITS THE DISSEMINATION OF ADVERTISING TO STUDENTS;

(IV) REQUIRES THAT A CONTRACT MAY NOT PROHIBIT EMPLOYEES AND STUDENTS FROM DISPARAGING THE GOODS OR SERVICES OF THE PARTY CONTRACTING WITH THE SCHOOL; AND

(V) PROVIDES WRITTEN NOTICE TO THE PARENTS OR GUARDIANS OF THE STUDENTS THAT THE ADVERTISING WILL BE USED IN CLASSROOMS AND OTHER LEARNING CENTERS;

(3) DEVELOP AND ADOPT A POLICY REGARDING THE RELEASE OF STUDENT INFORMATION FOR MARKETING PURPOSES AND PROHIBITING THE FOLLOWING:

(I) REQUIRING STUDENTS TO COMPLETE SURVEYS TO PROVIDE MARKETING INFORMATION TO VENDORS;

(II) DISTRIBUTING ANY PERSONAL INFORMATION OF STUDENTS, INCLUDING NAMES, ADDRESSES, AND TELEPHONE NUMBERS TO VENDORS; AND

(III) ENTERING INTO ANY CONTRACT FOR ELECTRONIC MEDIA SERVICES, OR OTHERWISE, IF THE TERMS OF THE CONTRACT REQUIRE THE COUNTY BOARD TO PROVIDE STUDENTS' PERSONAL INFORMATION TO THE PROVIDER OF THE SERVICES; AND

(4) DEVELOP AND ADOPT A POLICY RESTRICTING THE LEVEL OF ADVERTISING IN THE CURRICULUM AND PROHIBITING THE FOLLOWING:

(I) REQUIRING OR ADVISING STUDENTS TO PURCHASE CURRICULUM MATERIALS THAT CONTAIN BRAND NAMES, LOGOS, OR PROMOTIONAL INFORMATION, UNLESS:

1. THE BASIS FOR THE REQUIREMENT OR ADVICE IS INDEPENDENT OF A FINANCIAL INCENTIVE FOR THE TEACHER, SCHOOL, OR COUNTY BOARD AND THE USE OF THE BRAND NAME OR LOGO IS NECESSARY TO THE INSTRUCTION; OR

2. THE BRAND NAME OR LOGOS ARE AFFIXED TO DONATED MATERIALS OR SUPPLIES AND MERELY IDENTIFY THE DONATING SUPPLIER; AND

(II) ALLOWING TEACHERS TO USE ANY MATERIAL CONTAINING COMMERCIAL SPONSORSHIP OR ADVERTISING THAT FAILS TO MEET REASONABLE STANDARDS FOR OBJECTIVITY, ACCURACY, AND COMPLETENESS.

(B) SUBSECTION (A)(4) OF THIS SECTION IS NOT INTENDED TO AFFECT THE PRODUCTION OR DISSEMINATION OF SCHOOL PUBLICATIONS.

(C) EACH COUNTY BOARD SHALL SUBMIT ITS POLICIES TO THE DEPARTMENT ON OR BEFORE AUGUST 1, 2004.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation or contract right may not be impaired in any way by this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: **February 11, 2003**

TO: **BOARD OF EDUCATION**

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

SUBJECT: **House Bill 245 (SB 178) Group Home Licensure Standards**

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

RESOURCE PERSON(S):

RECOMMENDATION

Recommend support

* * * * *

Speaker Pro Tem Jones and Senator Kelley have introduced this legislation to strengthen the standards for licensure of residential child care programs by the addition of a new subsection to the Education Article. The operator must expeditiously obtain the academic records of a child from the transferring school and send the records to the school that the child will be attending while living in the operator's care. The licensed operator must also meet with the child's teacher at the time of enrollment and at any other time the school or teacher requests, and sign and return the student's report card to the school. The state agency that licenses the operator must notify the operator of these requirements. A residential child care program includes group homes, alternative living units, and emergency shelter care.

Attachment I – House Bill 245

HOUSE BILL 245

Unofficial Copy 2003 Regular Session
F1 3lr1511
CF 3lr0780

By: **Delegates Jones, Bobo, Boschert, Cane, Howard, Kirk, Madaleno, and Nathan-Pulliam**
Introduced and read first time: January 29, 2003
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Residential Child Care Programs - State-Funded Operators - Licensing Provisions

FOR the purpose of requiring a licensed operator of a residential child care program who receives State funding to meet certain academic needs of a child in the operator's care; requiring certain group homes to comply with certain provisions of law; requiring the department that licenses the group home to notify certain group homes of certain provisions of law; and generally relating to certain licensing provisions for State-funded operators of residential child care programs.

BY adding to
Article - Education
Section 7-309
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

BY repealing and reenacting, with amendments,
Article - Family Law
Section 5-526
Annotated Code of Maryland
(1999 Replacement Volume and 2002 Supplement)

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

Article - Education

7-309.

(A) (1) IN THIS SECTION, "RESIDENTIAL CHILD CARE PROGRAM" MEANS A PROGRAM THAT:

(I) PROVIDES CARE FOR CHILDREN 24 HOURS A DAY WITHIN A STRUCTURED SET OF SERVICES AND ACTIVITIES DESIGNED TO ACHIEVE OBJECTIVES RELATED TO THE NEEDS OF THE CHILDREN SERVED; AND

(II) IS LICENSED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT OF HUMAN RESOURCES, OR THE DEPARTMENT OF JUVENILE JUSTICE.

(2) A "RESIDENTIAL CHILD CARE PROGRAM" INCLUDES:

(I) GROUP HOMES;

(II) ALTERNATIVE LIVING UNITS; AND

(III) EMERGENCY SHELTER CARE.

(B) EACH LICENSED OPERATOR OF A RESIDENTIAL CHILD CARE PROGRAM WHO HAS LEGAL CUSTODY OR CARE AND CONTROL OF A CHILD WHO IS AT LEAST 5 YEARS OLD AND UNDER THE AGE OF 16 YEARS AND RECEIVES STATE FUNDING AS PROVIDED IN § 5-526 OF THE FAMILY LAW ARTICLE SHALL:

(1) EXPEDITIOUSLY RETRIEVE THE ACADEMIC RECORDS OF A CHILD IN THE OPERATOR'S CARE FROM THE TRANSFERRING SCHOOL AND SEND THE ACADEMIC RECORDS TO THE SCHOOL THAT THE CHILD WILL BE ATTENDING WHILE LIVING IN THE OPERATOR'S CARE;

(2) MEET THE CHILD'S TEACHERS AT THE TIME OF ENROLLMENT AND AT ANY OTHER TIME THE SCHOOL OR A TEACHER REQUESTS; AND

(3) SIGN THE CHILD'S REPORT CARD AND INSURE THAT THE REPORT CARD IS RETURNED TO SCHOOL.

Article - Family Law

5-526.

(a) (1) The Department shall provide for the care, diagnosis, training, education, and rehabilitation of children by placing them in group homes and institutions that are operated by for-profit or nonprofit charitable corporations.

(2) Any group home utilized under the provisions of this section shall comply with the provisions of §§ 5-507 through 5-509 of this subtitle AND § 7-309 OF THE EDUCATION ARTICLE.

(3) THE DEPARTMENT THAT LICENSES THE GROUP HOME SHALL NOTIFY ANY GROUP HOME UTILIZED UNDER THE PROVISIONS OF THIS SECTION OF THE REQUIREMENTS OF § 7-309 OF THE EDUCATION ARTICLE.

(b) (1) The Department shall reimburse these corporations for the cost of these services at appropriate monthly rates that the Department determines, as provided in the State budget.

(2) The reimbursement rate may differ between homes and institutions that provide intermediate services, as defined by the Department, and homes and institutions that provide full services.

(c) The Department, or the Department's designee, may not place a child in a residential group home or other facility that is not operating in compliance with applicable State licensing laws.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: **February 11, 2003**

TO: **BOARD OF EDUCATION**

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

SUBJECT: **House Bill 788, Bargaining Unit Composition**
Baltimore County - Public School Employees

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

RESOURCE PERSON(S):

RECOMMENDATION

Recommend support with an amendment

* * * * *

This legislation would clarify unit membership eligibility for supervisory employees whose jobs do not require educational certification. Language also clarified that Baltimore County may have three non-supervisory units under the subtitle governing organizations of certificated employees.

Staff recommends Board support of the new language proposed but suggests amendments to Section 2 on the last page of the bill. This section, as written, can be construed to grant permanent representation rights to the current bargaining agent without the right to challenge said agent pursuant to methods of designating an agent by unit member election.

Attachment I – HB 778

HOUSE BILL 778

Unofficial Copy 2003 Regular Session
F3 3lr2107
CF 3lr2050

By: **Delegate Minnick**
Introduced and read first time: February 7, 2003
Assigned to: Appropriations

A BILL ENTITLED

AN ACT concerning

Education - Baltimore County - Public School Employees

FOR the purpose of altering the definition of "public school employee" as it applies to provisions that relate to organizations of employees in Baltimore County; establishing a certain unit of certain employees in Baltimore County; authorizing only a certain number of units in Baltimore County; providing that a certain unit shall be deemed the designated representative for a certain unit of employees; providing that this Act may not be construed to confer certain rights of certification on certain noncertified employees; and generally relating to organizations for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,
Article - Education
Section 6-401, 6-404, and 6-505
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

BY repealing and reenacting, without amendments,
Article - Education
Section 6-501
Annotated Code of Maryland
(2001 Replacement Volume and 2002 Supplement)

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

Article - Education

6-401.

(a) In this subtitle the following words have the meanings indicated.

(b) "Employee organization" means an organization that:

(1) Includes certificated employees of a public school employer or individuals of equivalent status in Baltimore City; and

(2) Has as one of its main purposes the representation of the employees in their relations with that public school employer.

(c) (1) "Home and hospital teacher" means a teacher employed by a public school employer to provide instructional services to a public school student who is unable to function effectively in the classroom setting due to the student's medical, physical, or emotional condition.

(2) A home and hospital teacher may teach in:

(i) A private home;

(ii) A hospital;

(iii) A therapeutic center;

(iv) A school; or

(v) Any other appropriate site.

(d) (1) "Public school employee" means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6-408(b) of this subtitle.

(2) In Montgomery County, "public school employees" include:

(i) Certificated and noncertificated substitute teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 1978, and each year after; and

(ii) Home and hospital teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000, and each year after.

(3) In Baltimore County, "public school employee" includes:

(I) [a] A secondary school nurse, an elementary school nurse, and a special school nurse; AND

(II) SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER § 6-501(H) OF THIS TITLE.

(4) In Frederick County, "public school employee" includes a social worker employed by a public school employer.

(5) In Prince George's County, "public school employee" includes home and hospital teachers and junior reserve officer training (JROTC) instructors.

(e) "Public school employer" means a county board of education or the Baltimore City Board of School Commissioners.

6-404.

(a) Each public school employer shall designate, as provided in this subtitle, which employee organization, if any, shall be the exclusive representative of all public school employees in a specified unit in the county.

(b) (1) Except as provided in paragraph (2) of this subsection, the public school employer shall determine the composition of the unit in negotiation with any employee organization that requests negotiation concerning the composition of the unit.

(2) In Baltimore County, the public school employer may designate a separate unit comprised of all registered nurses employed by the county in elementary schools or special schools.

(c) (1) Except as provided in paragraph (2) of this subsection, there may not be more than two units in a county.

(2) In Baltimore County, there may not be more than three units, provided that one unit consists of elementary and special school nurses AND ONE UNIT CONSISTS OF EMPLOYEES WHOSE POSITION REQUIRES AN ADMINISTRATIVE AND SUPERVISORY CERTIFICATE AND SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER § 6-501(H) OF THIS TITLE.

(d) All eligible public school employees shall:

(1) Be included in one of these units; and

(2) Have the rights granted in this subtitle.

6-501.

(a) In this subtitle the following words have the meanings indicated.

(b) "Confidential employee" includes an individual whose employment responsibilities require knowledge of the public school employer's posture in the collective negotiation process, as determined by the public school employer in negotiations with an employee organization that requests negotiation on this issue.

(c) "Employee organization" means an organization that:

(1) Includes noncertificated employees of a public school employer; and

(2) Has as one of its main purposes the representation of the employees in their relations with that public school employer.

(d) "Management personnel" includes an individual who is engaged mainly in executive and managerial functions, as determined by the public school employer in negotiation with an employee organization that requests negotiation on this issue.

(e) "Noncertificated employee", in Montgomery County, means only a full-time employee.

(f) (1) "Public school employee" means a noncertificated individual who is employed for at least 9 months a year on a full-time basis by a public school employer.

(2) "Public school employee" includes a noncertificated employee in Baltimore City notwithstanding that the noncertificated employee does not work for at least 9 months a year on a full-time basis.

(3) "Public school employee" does not include:

(i) Management personnel;

(ii) A confidential employee; or

(iii) Any individual designated by the public school employer to act in a negotiating capacity as provided in § 6-510(b) of this subtitle.

(g) (1) "Public school employer" means the county board in each county.

(2) "Public school employer" includes the Baltimore City Board of School Commissioners.

(h) "Supervisory employee" includes any individual who responsibly directs the work of other employees, as determined by the public school employer in negotiation with an employee organization that requests negotiation on this issue.

6-505.

(a) (1) Each public school employer may designate, as provided in this subtitle, which employee organization, if any, shall be the exclusive representative of all public school employees in a specified unit in the county.

(2) In Baltimore City, Garrett County, and Frederick County, the public school employer shall designate, as provided in this subtitle, which employee organization, if any, shall be the exclusive representative of all public school employees in a specified unit in the county.

(b) The public school employer shall determine the composition of the unit in negotiation with any employee organization that requests negotiation concerning the composition of the unit.

(c) (1) There may not be more than three units in a county and a unit may not include both supervisory and nonsupervisory employees.

(2) If a county has more than three recognized units and, as of July 1, 1974, the units have exclusive representation for collective negotiations, these units may continue as negotiating units.

(3) IN BALTIMORE COUNTY, THERE SHALL ONLY BE THREE NONSUPERVISORY UNITS IN ADDITION TO THE SUPERVISORY UNIT DEFINED UNDER § 6-404(C)(2) OF THIS TITLE.

(d) (1) All eligible public school employees shall:

(i) Be included in one of these units; and

(ii) Have the rights granted in this subtitle.

(2) Except for an individual who is designated as management personnel or a confidential employee under this subtitle, each public school employee is eligible for membership in one of the negotiating units.

SECTION 2. BE IT FURTHER ENACTED, That the organization for administrative and supervisory positions currently recognized under § 6-404 of the Education Article shall be deemed the designated representative for the unit created in § 6-404(c)(3) of the Education Article and shall be subject to the provisions of Subtitle 6 of the Education Article.

SECTION 3. BE IT FURTHER ENACTED, That this Act may not be construed to confer rights arising from certification on noncertificated employees.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Insert after line 17 on page 5

NOTHING IN THIS SECTION SHALL BE CONSTRUED HEREINAFTER TO MODIFY, AMEND, OR SUPERSEDE THE PROVISIONS OF THE SUBTITLE RELATING TO CHANGES IN REPRESENTATION FOR THE UNIT.

Southwest Area Educational Council
Meeting January 15, 2003
Woodmoor Elementary School

Meeting called to order at 7:35 p.m.

Advisory council members present:
Brian Bailey
Jane Davis
Sam Macer
Richard Milbourne
Anita Newkirk
Lisa Orens
Joe Pallozzi
Amanda Smith

Guest Speaker: Dr. Joe Hairston

I. *Budget Priorities Which make this budget align with the Blueprint for Progress and the No Child Left Behind Act*
   a. *Students*
   b. *Employees*

II. *Highlights From Budget*
   a. *10 schools will get Full-day Kindergarten*
   b. *Expand professional development programs*
   c. *Plan to invest heavily in primary (K-2) education*
      i. *Encourage Community involvement (reinforcement at home)*
      ii. *Planning time provisions*

   d. *Junior ROTC at Patapsco High School*
   e. *Research issues related to aging schools and air quality*
   f. *Maximize quality of Special Education*

III. *Challenges is the Southwest Area*
   a. *Woodlawn Middle School*
      i. *Commitment of community and administrators*
      ii. *Must continue dialogue on pertinent issues*
      iii. *Overcrowding at Featherbed and Edmondson Heights*

IV. *Questions from The Audience*
   a. *Sam Macer asked about Woodlawn Middle School*
      i. *Mr. Smithís new agenda contained a request for state funding for Windsor Mill Middle School*
      ii. *Delegation going to Annapolis to appeal for funding*
      iii. *Windsor Mill Middle School will alleviate overcrowding at Southwest Academy*
      iv. *Rita Fromm from Strategic planning says annexing is being considered to alleviate overcrowding at Dogwood elementary School*

   b. *A parent raised a concern about overcrowding and handicap access at Woodlawn Middle School.*
      i. *Dr. Hairston stated that the Southwest Area had 2028 work orders issued and 1313 had been completed.*
      ii. *Bathroom test: check a schoolís bathrooms in September, December and March. If Bathrooms are still clean, community is involved and committed,*

iii. *Clean school building teaches students to take care of property and take pride in their community.*
iv. *The state asks the BCPS what they are doing with the funding theyíve been given: Is he community willing to join BCPS in changing the behavior of the community?*

c. *A Parent from Woodmoor Elementary asked about the extremes of weather that we experience in this region.*
   i. *Dr. Hairston responded that installing Air Conditioning system wide would be prohibitively expensive.*
   ii. *During periods of high heat, BCPS has to consider closing schools.*

d. *Amanda Smith asked if transportation could be provided for Magnet school students who participate in extracurricular activities.*
   i. *Magnet students sing a form accepting responsibility for extracurricular activity transportation.*
   ii. *BCPSí fleet of 800 buses are needed for specific routes, and arenít available for this kind of transportation*

e. *A Woodlawn High School Parent pointed out that Woodlawn High School is still overcrowded despite the new 600-seat addition.*
   i. *The strategic planning office looks at enrollment at every school every year.*

f. *A question was raised regarding bringing more magnet school seats to the Southwest Area.*
   i. *Dr. Hairston explained that Delegate Burns explained that he feels we should have Magnet school programming in every school. The No Child Left Behind Act requires that all students get Quality programming.*
   ii. *An evaluation of the Magnet programs has been commissioned.*

g. *A parent expressed disappointment with the change of cutoff date for the 3 and 4-year-old preschool program.*
   i. *There cannot be exceptions made because of overcrowding*

h. *A question was raised regarding how the problem of non-resident students will be addressed.*
   i. *At Woodlawn High School, 300 cases were investigated and 10 were found to be legitimately illegal students.*
   ii. *Our legislators are aware of the problem and trying to close the loophole in the law.*
   iii. *The monitoring process needs to be strengthened*

i. *A Woodlawn High School parent expressed concerns about a 9th grade class with no teacher for a week, and discipline issues. The parent asked if the problems were being addressed.*
   i. *Dr. Hairston, Dr. Milbourne and the principal will look at the issues, since it is beyond the scope of the Advisory Council.*

j. *A Woodmoor parent described problems with windows and boilers.*
   i. *Dr. Hairston explained that of the $31 million that BCPS requested from the state for system repairs (boilers, roofs etc.), only $2 million was awarded. A delegation will go to Annapolis on January 22 to appeal for more State funding*

General meeting Adjourned at 8:40 p.m.

Business meeting called to order at 8:45p.m.

I. *Mr. Gerald Judd, parent form Southwest Academy, expressed concerns regarding overcrowding at Southwest Academy*
   a. *Projections for construction of feeder schools has a margin of error of 25%*
   b. *Southwest Academy currently has 1350 students, capacity is 1030 students*
   c. *May need another portable next year to help reduce the overcrowding*
   d. *Mr. Judd asked for help to get some relief for the overcrowding at Southwest Academy*
   e. *Dr. Milbourne provide statistics on overcrowded schools in the Southwest Area:*
      i. *5 elementary schools are over capacity*
      ii. *22 middle schools are over capacity*
         1. *Southwest Academy by 256 students*
            a. *Magnet students put them over capacity*
            b. *Suggested that we need more magnet school programs in Southwest area*
         2. *Catonsville Middle School by 70 students*
      iii. *Southwest Area has the fewest number of magnet schools*

II. *Next meeting: Arbutus Middle School, Wednesday February 18, 2003*
   a. *Topics: Financial aid and scholarships*
   b. *Athletic scholarships*
   c. *New Program being introduced for 7th graders called ìCollege Edî*

III. *April Meeting Topic: Should we invite the strategic planning team to discuss overcrowding?*

IV. *Suggested topic for a future meeting: High School Assessments, Dr. Wynn Grant*

V. *Sam expressed a concern that there is no newsletter for parents at Edmondson Heights Elementary School.*

Meeting Adjourned at 9:20p.m.