

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: ACA, BFA-RA
Responsible Office: Board of Education
General Counsel

Policysetting

A. PURPOSE

To define what is meant by policy in the context of principles adopted by the Montgomery County Board of Education to set forth the vision and goals of Montgomery County Public Schools (MCPS)

To establish consistent processes for developing and implementing policies adopted by the Board

To specify the rights and responsibilities of the school community in the policy development process

B. ISSUE

State law provides that the Board, with the advice of the superintendent of schools, determines the educational policies of the school system. In fulfilling this role, the Board, among other actions, establishes formal policies to establish governing principles for MCPS. Therefore, there should be comprehensive and consistent processes for the analysis, development, implementation, monitoring, and evaluation of policies, as well as community input processes that allows for participation in policy development by key stakeholders, to include staff, students, parents/guardians, and other community members, who represent the diverse community of Montgomery County, in alignment with Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*.

C. POSITION

1. *MCPS Policies and Regulations Handbook*

- a) Policies are defined as the guiding principles specifically set forth in the *MCPS Policies and Regulations Handbook* located on the MCPS website and identified as a “Board Policy.” These policies, are adopted and amended

by resolution of the Board to set forth the vision and goals of MCPS, specify the rights and responsibilities of the school community, and guide the development and implementation of educational programs and/or for management of the school system. All policies have a three-letter identifier and are indexed in lettered sections of the online *MCPS Policies and Regulations Handbook*,

- b) *Regulations* provide procedural guidance developed by the superintendent of schools and are published in the online *MCPS Policies and Regulations Handbook*, to implement Board policies, and federal, state, or local laws.

2. Policy development

- a) There shall be a Policy Management Committee of the Board, consisting of not less than three members with staggered three-year terms with one member and the chair chosen annually at the Board's December meeting. The Board also may appoint the student member of the Board to serve as a fourth full member of the Policy Management Committee. The Policy Management Committee reviews, recommends, and presents draft policies to the full Board for adoption.
- b) The Policy Management Committee, the superintendent of schools, and/or other Board members and stakeholders collaborate to identify policies in need of development or revision.
 - (1) Stakeholder input processes allow for participation in policy development by staff, students, parents/guardians, and other community members, and strive to represent the diverse community of Montgomery County, in alignment with Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*.
 - (2) Student representatives shall be involved in the revision or development of major Board policies affecting students. Such involvement may be accomplished by including student representatives in meetings or by soliciting student input at any stage in the process of policy development or revision.
 - (3) Stakeholder input may be gathered through a variety of methods, to include but not limited to, workgroups, public meetings, and other technology appropriate for soliciting and gathering public input.
 - (4) The MCPS website shall be used to provide information to stakeholders as well as to solicit stakeholder feedback.

- c) The Policy Management Committee, the superintendent of schools/designees, and, where deemed appropriate, a workgroup of relevant stakeholders meet to develop a draft policy. The draft policy shall take into account as appropriate –
 - (1) related Board governance, including its mission, goals, and objectives,
 - (2) other policies of the Board and of other governmental agencies,
 - (3) Federal, state, and local laws and regulations,
 - (4) court decisions and other legal limits or conditions,
 - (5) cost implications,
 - (6) effects on school system operation,
 - (7) the impact on those affected by the policy,
 - (8) national, state, and local literature and research, and/or
 - (9) similar policies and/or best practices adopted by other school systems.
- d) The Policy Management Committee and appropriate staff present the proposed policy item to the Board for discussion, and/or amendment, and tentative action.
- e) The policy item will be accompanied by a resolution that –
 - (1) indicates the tentatively adopted policy will lie on the table for at least 21 days before being voted upon as final action,
 - (2) provides opportunity for citizen, stakeholders, and staff comment,
 - (3) provides opportunity for public hearing (if the Board desires), and
 - (4) provides opportunity for the superintendent of schools/designee to give advice and recommendations.

- f) When taking final action, the Board will review public comments, staff responses, and Policy Management Committee recommendations, and consider amendments proposed by Board members. Persons submitting public comments are advised that public comments become part of the public record and are publicized along with the Policy Management Committee's recommendation to the Board for final action. Comments should not include identifiable information about individual staff or students.

The Board may, or the Policy Management Committee may make a recommendation to the Board to, send the policy back out for public comment if substantial changes are made to the policy after the initial public comment period.

- g) The Board will adopt a policy with a standard format that will include as appropriate –
 - (1) a statement of the purpose of the policy,
 - (2) a description of the problem or issue that the policy addresses and purports to resolve,
 - (3) a statement of the policy position or positions adopted by the Board, including a brief statement of the reasons and/or justification for these positions as appropriate,
 - (4) a statement of the results or outcomes desired,
 - (5) the strategies to be used in guiding the implementation of the policy, and
 - (6) specification of when reports are to be made to the Board and the public on implementation and effectiveness, results achieved, and next steps. The frequency of reports will be specified by the Board and may depend on such factors as high public interest, legal mandates, and the experimental/innovative nature of the activity.

3. Technical Amendments

The Policy Management Committee may recommend that the Board adopt technical amendments to policies when the proposed amendments are needed to–

- a) comply with federal, state, or local law,

- b) bring the policy into alignment with a more recently enacted Board policy, and/or
- c) update directory information (e.g., MCPS office names). References to offices mean the office that performs the relevant function if the office identified no longer exists.

Such technical amendments may be adopted immediately by the Board upon the recommendation of the Policy Management Committee.

4. Rule of Interpretation

In the event of a conflict, federal, state, and local laws and regulations supersede Board policies. If the conflict is between Board policies, the most recently enacted supersedes older policies but generally efforts will be taken to read so as to avoid conflicts.

5. Policy Implementation

After adoption, the superintendent of schools will –

- a) develop implementing regulations, as appropriate,
- b) publish all policies and regulations in the Handbook and distribute to affected parties as appropriate, and
- c) continuously monitor the policy and implementation and reporting to the Board as required under Section F., Review and Reporting.

6. Policy Suspension

When a change in law or exigent circumstances with systematic implications necessitate the temporary suspension of all or part of any individual policy, the Board may –

- a) take action at a full Board meeting to suspend all or part of the policy, and/or
- b) direct that the policy be reviewed by the Policy Management Committee at its next scheduled meeting for recommendation for further action.

D. DESIRED OUTCOME

Policies that are well researched and analyzed prior to adoption or amendment and monitored by the superintendent of schools/designee with results reported to the Board subsequent to adoption.

E. IMPLEMENTATION STRATEGIES

1. The superintendent of schools will develop a process for implementing this policy that will include coordination of policy research and development, appropriate presentations to the Board, implementing regulations, monitoring reports, and maintaining the process.
2. All regulations developed in support of Board adopted policies shall be sent to the Board as items of information.

F. REVIEW AND REPORTING

1. The Policy Management Committee shall be apprised of the up-to-date status of the review process, including the number of policies that were reviewed, revised, and rescinded on an on-going basis.
2. The superintendent of schools will review policies on an ongoing basis in accordance with established practices for prioritizing policy matters, but the Board may call for review of any policy at its discretion. In the event the Board directs that a new or revised policy be developed, it may establish a timeline for the Policy Management Committee to bring a draft policy to the full Board for its consideration.
 - a) When the review results in recommended content changes to the policy, the process for policy formulation described above will be followed.
 - b) When review results in a recommendation for rescission, the Board of Education will take action on the recommendation.
 - c) If the Policy Management Committee reviews the policy and recommends no substantive changes, the policy will be marked as “reviewed by Policy Management Committee,” reformatted, reprinted, and forwarded to the Board as an item of information.

Related Sources:

Annotated Code of Maryland, Education Article, §4-108

Policy History: Adopted by Resolution No. 64-92, January 27, 1992; amended by Resolution No. 115-93, February 9, 1993; amended by Resolution No. 341-94, May 16, 1994; reviewed August 27, 1996; amended by Resolution No. 615-01, November 13, 2001; amended by Resolution No. 388-05, July 27, 2005; amended by Resolution No. 250-19, April 9, 2019.

Note previous policy history: Adopted by Resolution No. 425-84, August 7, 1984; amended by Resolution No.430-85, September 10, 1985; amended by Resolution No. 458-86, August 12, 1986; Rescinded by Resolution No. 64-92, January 27, 1992.