

BOARD OF EDUCATION OF HARFORD COUNTY

INFORMATIONAL REPORT

**DECISION ON
ADJUSTMENT OF SCHOOL BOUNDARY ATTENDANCE AREAS**

(POLICY NO. 20-0041-000)

DECEMBER 16, 2013

FEBRUARY 10, 2014

Background Information:

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools (HCPS). The manual contains policies which are either required by federal and state law and regulation or which are, in the Board's judgment, necessary and appropriate in order for the school system to operate in a lawful, appropriate and effective manner. Included among such policies is that entitled Adjustment of School Boundary Attendance Areas.

Discussion:

The Board Policy Review Committee ("BPRC") met on October 14, 2013, and discussed potential revision to the above policy. As a result, a recommendation was made to include language which authorized the Superintendent, on her/his own, to initiate a change in school attendance boundaries. This language was deemed appropriate inasmuch as the current policy only authorizes the undertaking of an adjustment of school attendance boundary lines under certain specified conditions which did not include the unilateral action of the Superintendent.

The above policy was presented to the Board on December 16, 2013, and discussion followed by Board members. Following the December 16, 2013, meeting, the proposed revised policy was posted on the Board's public website in excess of thirty days for public comment. One public comment was received and reviewed.

Attachments:

1. Current *Adjustment of School Boundary Attendance Areas Policy* 20-0041-000.
2. Proposed revised *Adjustment of School Boundary Attendance Areas Policy* 20-0041-000.

Superintendent's Recommendation:

For the foregoing reasons, it is recommended that the Board approve the attached proposed revised policy entitled Adjustment of School Boundary Attendance Areas discussed above.

POLICY TITLE: Adjustment of School Attendance Boundary Lines		
ADOPTION/EFFECTIVE DATE: 6/9/2008	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: District Management		

I. Purpose

The purpose of this policy is to establish a systematic and regular process and criteria for the adjustment of school attendance areas.

II. Definitions

- A. Capacity means the State Rated Capacity of the school building as determined by the formula/calculation used by the State Interagency on School Construction.
- B. Overcrowding means that the student enrollment at a school exceeds the school's capacity to such a degree that one or more of the following conditions exist: school space is used for other than its intended purpose in order to deliver instruction; high class size; use of "floating" teachers; inefficient movement of staff and/or students; lack of sufficient space to deliver instruction.

III. Statement of Policy

- A. The Superintendent may make a recommendation to the Board that the attendance area of a school or schools be adjusted when:
 - 1. A new school is constructed;
 - 2. An addition to an existing school is constructed;
 - 3. A school's enrollment is at 100 percent or greater of its capacity; the school's projected enrollment for the next five years will be 100 percent or greater of its capacity; or the school's enrollment is less than 100 percent of its capacity, but there are programs or other conditions or circumstances that are causing or will cause overcrowding at the school; ~~or~~
 - 4. The Board directs the Superintendent to adjust school attendance boundaries; ~~or~~
 - 5. **The Superintendent, in his or her discretion, deems it appropriate.**

- B. The Superintendent, in formulating the recommendation described in paragraph A above, shall:
 - 1. Study, analyze and evaluate relevant information and data and prepare such plan or plans as may be effective and appropriate for the adjustment of the boundary lines of a school's attendance area.
 - 2. Present to the Board in an open Board meeting such plan or plans for adjustment of the school's boundary line as the Superintendent deems effective.
- C. After the Superintendent initially presents the recommended plan or plans to the Board, the Superintendent shall schedule a meeting to present the recommended plan or plans to the public.
- D. After the meeting(s) described above in paragraph C, the Superintendent shall make any modifications to the recommendation he/she deems appropriate. The Superintendent shall present the plan with any modifications to the Board during an open meeting of the Board.
- E. After receiving the Superintendent's recommended plan or plans, the Board shall schedule at least one public hearing in order to receive testimony or written comments from the public regarding the Superintendent's recommended plan or plans.
- F. After the public hearing described in paragraph III.E above, the Board shall, in open session, decide whether to accept or reject, either in whole or in part, or modify the Superintendent's recommended plan or plans.
- G. In the event the Board approves any plan which adjusts the existing boundary lines of a school attendance area, such plan shall not become effective until at least 180 days after the Board's decision except and unless the implementation of the plan is required due to emergency circumstances.
- H. The Superintendent shall cause the decision of the Board, made pursuant to paragraph III.F above, to be distributed to the public, including posting the decision on the HCPS website and distribution of the decision to the principals of any school affected by the decision.

Board Approval Acknowledged By:

Barbara P. Canavan, Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates		
ACTION	DATE	ACTION DATE
Adopted	6/9/2008	

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire		JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Patrick P. Spicer, Esquire		JOB POSITION OF PERSON RESPONSIBLE: General Counsel
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REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005:		

BOARD OF EDUCATION OF HARFORD COUNTY

INFORMATIONAL REPORT

DECISION ON CLOSURE OF A SCHOOL

(POLICY NO. 20-0042-000)

JANUARY 27, 2013

FEBRUARY 10, 2014

Background Information:

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools (HCPS). The manual contains policies which are either required by federal and state law and regulation or which are, in the Board's judgment, necessary and appropriate in order for the school system to operate in a lawful, appropriate and effective manner. Included among such policies is that entitled Closure of a School.

Discussion:

The Board Policy Review Committee ("BPRC") met on October 14, 2013, and discussed potential revision to the above policy. As a result, a recommendation was made to include language which sets forth the timeline provided by the Code of Maryland Administrative Regulations ("COMAR") relative to when a school closure may be implemented. Although, generally, the Board does not repeat COMAR language in policy, the BPRC recommended inclusion of the timeline language because other COMAR provisions are already included in this policy and the BPRC believed it important that the public be made aware of all aspects of the school closure procedure as set forth in Board policy.

The above policy was presented to the Board on December 16, 2013, and discussion followed by Board members. Following the December 16, 2013, meeting, the proposed revised policy was posted on the Board's public website in excess of thirty days for public comment. Four public comments were received and reviewed.

Attachments:

1. Current *Closure of a School Policy* 20-0042-000.
2. Proposed revised *Closure of a School Policy* 20-0042-000.

Superintendent's Recommendation:

For the foregoing reasons, it is recommended that the Board approve the attached proposed revised policy entitled Closure of a School discussed above.

POLICY TITLE: Closure of a School		
ADOPTION/EFFECTIVE DATE: 6/9/2008	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: District Management		

I. Purpose

The purpose of this policy is to establish a systematic process and criteria relating to the closing or proposed closing of a school.

II. Policy Statement

A. The following factors shall be considered in deciding whether to close a school or not.

1. Student enrollment trends;
2. Age or condition of school buildings;
3. Transportation;
4. Educational programs;
5. Racial composition of student body (to the extent legally permitted);
6. Financial considerations;
7. Student relocation;
8. Impact on community in geographic attendance area for school proposed to be closed and school, or schools, to which students will be relocating;
9. Any other factors deemed relevant.

B. Procedure for decision regarding school closings.

1. The Board shall conduct at least one public hearing where concerned citizens may orally or in writing present or submit testimony or data on the proposed closing.
 - a. The public hearing shall take place before any final decision by the Board regarding closing the school.

- b. Time limits on the submission of oral or written testimony and data shall be clearly defined in the notification of public hearing.
- C. Public notice of consideration of school closure.
1. The Board shall, in addition to any regular means of notification it uses, provide written notification that a school is being considered for closure by placing an advertisement in at least two newspapers having general circulation in the geographic attendance areas of the school proposed to be closed and the geographic attendance areas of the school to which the students will be relocated.
 2. The newspaper notification shall set forth the procedures which will be followed by the Board in making its final decision.
 3. The newspaper notification shall appear at least two weeks in advance of any public hearing(s) held by the Board on a proposed school closing.
- D. Final decision on school closure.
1. The final decision of the Board to close a school shall be announced at a public session and shall be in writing.
 2. The final decision shall include the rationale for the school closing.
 3. Notification of the Board's final decision shall be provided to the community in the geographic attendance areas of the school proposed to be closed and the school to which students will be relocated.
 4. The notification of the Board's final decision shall include notification of the right to appeal the decision to the State Board of Education.
 5. **Except in emergency circumstances, the final decision of the Board to close a school shall be announced at least ninety (90) days before the date the school is scheduled to close, but not later than April 30 of any school year. An emergency circumstance is one where the decision to close a school because of unforeseen circumstances cannot be announced at**

least ninety (90) days before the date the school is scheduled to close or before April 30 of any school year.

Board Approval Acknowledged By:

Barbara P. Canavan, Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates		
ACTION	DATE	ACTION DATE
Adopted	6/9/2008	

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