

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** BFA, BFA-RA  
**Responsible Office:** Shared Accountability

### Developing and Publishing Regulations

#### I. PURPOSE

To establish responsibility and outline procedures for the initiation, preparation, review, approval, publication, and distribution of new and revised regulations for Montgomery County Public Schools (MCPS)

#### II. DEFINITIONS

- A. *Policies* are adopted by resolution of the Montgomery County Board of Education (Board) to guide the development and implementation of educational programs and/or management of the school system in a manner consistent with the vision articulated in the strategic plan.
- B. *Regulations* are developed by the superintendent of schools or his/her designee and define the manner in which Board policies are implemented or administered. All regulations developed ensure compliance with state and federal requirements.
- C. *Responsible office* is the office of the deputy superintendent of schools, chief operating officer, or associate superintendent most closely associated with the function or subject addressed by the regulation.

#### III. PROCEDURES

- A. Monitoring existing regulations and assessing the need for new or revised regulations.
  - 1. The Department of Policy, Records, and Reporting (DPRR) continuously monitors MCPS regulations to identify those in need of revision or rescission.
  - 2. DPRR monitors the actions of the Board, MCPS administrative memoranda, and reports of state and federal legislatures and then follows up with the

appropriate responsible offices on the need to develop a new regulation or revise existing regulations.

3. The responsible office determines that regulations relevant to the functions of the office are current, that revisions are required, or that new regulations must be developed based on actions of the Board, state or federal legislative action, research findings, and/or changes in administrative procedures.

## B. Developing Regulations

### 1. Content

The responsible office initiates the development of a new regulation or the revision of an existing regulation. This responsibility includes the following:

- a) Determining the content of a regulation, and writing and revising the regulation with support from DPRR
- b) Consulting with MCPS personnel who have an interest in the regulation content including consideration of the following:
  - (1) Alignment with the MCPS strategic plan and current practice
  - (2) Compliance with current local, state, and federal law
  - (3) Accurate titles, offices, and functions
- c) Presenting the final draft of the regulation, in conjunction with DPRR, to the executive leadership team and participating as otherwise needed in the review and approval process

### 2. Format, Review, and Approval

DPRR is responsible for tracking changes to the draft regulation, preparing final copy, and coordinating the final review and approval process. This responsibility includes the following:

- a) Assigning classification and indexing codes to regulations
- b) Managing revisions to the regulation and maintaining a file of relevant communication

- c) Ensuring that the regulation—
    - (1) does not conflict, duplicate, or overlap existing regulations;
    - (2) is complete, accurate and appropriate;
    - (3) is consistent with established policy and law; and
    - (4) accurately reflects references to Board policy, federal laws, state laws, or the Maryland State Board of Education bylaws.
  - d) Securing approval of the draft regulation as follows:
    - (1) Preparing and submitting a memorandum to the director of the responsible office indicating the revisions are complete, accurate, and ready for review by the executive leadership team.
    - (2) Presenting the draft regulation to the executive leadership team with support from the responsible office.
    - (3) Submitting MCPS Form 225-1: *Regulation Clearance*, for review and approval by the responsible office director, the associate superintendent, the deputy superintendent of schools or the chief operating officer, and the superintendent of schools.
3. Exception to Review and Approval Process

State or federal law always supersedes MCPS regulations. When a state or federal action renders a provision of an MCPS regulation out of compliance, DPRR may modify that provision to bring the regulation into compliance, with the approval of the responsible office and the deputy superintendent of schools or chief operating officer, as appropriate. Modifying a provision of an MCPS regulation to bring it into compliance with state or federal law does not require prior review by the executive leadership team.

C. Informing the Board of Education

Upon his/her approval of the regulation, the superintendent of schools transmits the regulation to the Board.

D. Publishing Regulations

DPRR is responsible for preparing an approved regulation for publication and for coordinating publication activities. This responsibility includes uploading the regulation to the MCPS website and publicizing its approval to MCPS personnel and the public on the DPRR webpage. Other appropriate means of communication also may be employed.

*Administrative History:* Formerly Regulation No. 225-2, September 29, 1978 (directory information updated); revised October 8, 2007; revised May 5, 2011.