

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

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

Developing and Publishing Regulations

I. PURPOSE

To establish responsibility and outline procedures for the development, review, approval, and publication 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 to guide the development and implementation of educational programs and/or management of the school system in a manner consistent with the Board's vision, mission, core purpose, and core values.
- B. *Regulations* are developed by the superintendent of schools/designee and define the manner in which Board policies are implemented or administered, or provide guidance, as appropriate, to key stakeholders regarding functions essential to MCPS. Regulations also guide compliance with state and federal requirements.
- C. Regulations identify a *Responsible office* (RO) (or Responsible Offices) that is/are the office(s) 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 Division 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 actions of state or federal legislatures or agencies and then follows up with the appropriate RO on the need to develop a new regulation, revise existing regulations, or rescind regulations that are no longer needed.
3. The RO determines that regulations relevant to the functions of their office are current, that revisions are required, or that new regulations must be developed based on actions of the Board, or state or federal legislatures or agencies; research findings; and/or changes in administrative procedures.

B. Developing Regulations

1. Content

A representative of the RO works closely with staff members from DPRR to develop a new regulation or revise or rescind 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 staff members who have an interest in the regulation content including consideration of the following:
 - (1) Alignment with MCPS's strategic priorities and current practices
 - (2) Compliance with current local, state, and federal law
 - (3) Accurate titles, offices, and functions
- c) Participating as appropriate in the review and approval process

2. Format, Review, and Approval

DPRR is responsible for collaborating with the RO in developing draft language, tracking changes to the draft regulation, coordinating the review

and approval process, soliciting input from other staff members and stakeholders as appropriate, benchmarking with other school districts, and publishing the revised regulation, as approved. This responsibility includes the following:

- a) Assigning classification and indexing codes to regulations
- b) Managing revisions to the regulation and maintaining documentation 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, state and federal laws, or the Maryland State Board of Education bylaws.
- d) Coordinating the review and process as follows:
 - (1) Preparing and submitting a memorandum to the appropriate representative of the RO and other appropriate signators indicating the revisions are complete, accurate, and ready for reviewers designated by the superintendent of schools/designee
 - (2) Presenting the draft regulation to designated reviewers as appropriate
 - (3) Submitting the draft regulation for final review and approval by the superintendent of schools and executive level reviewers designated by the superintendent of schools

3. Review and Approval Process to Address Changes in Federal or State Law

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 RO and appropriate executive level staff members designated by the superintendent of schools.

C. Informing the Board of Education

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

D. Publishing Regulations

1. DPRR is responsible for preparing an approved regulation for publication on the DPRR webpage and other appropriate means of communication.
2. The RO is responsible for providing guidance to appropriate stakeholders responsible for implementing the regulation.
3. DPRR publishes an annual summary of regulatory actions and maintains archives of regulatory activity from previous years.

Administrative History: Formerly Regulation No. 225-2, September 29, 1978 (directory information updated); revised October 8, 2007; revised May 5, 2011, revised January 27, 2016.