MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

May 14, 2019

MEMORANDUM

To: Members of the Board of Education

From: Judith R. Docca, Chair, Board of Education Policy Management Committee

Subject: Final Action, Policy KBA, Policy on Public Information

On January 8, 2019, the Montgomery County Board of Education (Board), tentatively adopted revised Board Policy KBA, Policy on Public Information (Resolution No. 10-19). The tentatively adopted policy was distributed for public comment from January 9, 2019, to March 3, 2019. The draft policy and the opportunity to provide public comment were advertised in Montgomery County Public Schools’ (MCPS) publication, The Bulletin; MCPS QuickNotes; the MCPS chief of staff’s Communications Update to Principals memorandum; MCPS Press Releases; MCPS and Board Tweets on Twitter; and information and links were provided on the MCPS website main page.

One comment was received. On April 8, 2019, members of the Policy Management Committee (Committee) further discussed Board Policy KBA, Policy on Public Information, and the comment received from the public. There were no revisions made to the tentatively adopted policy.

The revised policy sets forth a vision for effective communication with members of the Montgomery County community across a variety of existing and emerging media and communication channels appropriate to the purposes, needs, opportunities, and obligations of the school district and the community. The Board seeks to encourage respect, trust, confidence, and a unified understanding of the educational program and operations of MCPS. Furthermore, the revisions will document the Board’s expectations for communicating appropriate information to the public in a timely and complete manner, while striving to confirm the accuracy of such information and to provide clear, concise, and publicly accessible explanatory context, when possible.

Additional revisions to Policy KBA, Policy on Public Information, are to affirm the value students, staff, parents/guardians, and other members of the community place on student data privacy. Furthermore, the revisions affirm that the Board is committed to adhering to all legal obligations regarding the protection, and appropriate disclosure, of student and employee information, in accordance with all applicable laws and regulations regarding data collection, privacy, and security, including but not limited to the requirements of the Family Educational Rights
and Privacy Act of 1974, the Children’s Online Privacy Protection Act of 1998, the Protection of Pupil Rights Amendment, the Maryland Student Data Privacy Act of 2015, and the Maryland Public Information Act of 1970. The revisions incorporate and expand concepts and policy-level guidance from Board Policy KBB, Release of Data, which will be recommended for rescission upon adoption of revised Policy KBA, Policy on Public Information.

The Committee Recommended Draft is included as Attachment A. The public comment received is included as Attachment B.

The following resolution is provided for your consideration:

WHEREAS, Policy KBA, Policy on Public Information, sets forth a vision for effective communication with members of the Montgomery County community across a variety of existing and emerging media and communication channels appropriate to the purposes, needs, opportunities, and obligations of the school district and the community; and

WHEREAS, The Policy Management Committee has received and reviewed one comment from the public and is not recommending any further revisions to the policy; now therefore be it

Resolved, That the Board of Education adopt Policy KBA, Policy on Public Information; and be it further

Resolved, That the Board of Education rescind Policy KBB, Release of Data, given that the tenets of that policy are incorporated into Policy KBA, Policy on Public Information.

JRD:SPW:mm
Attachments
Policy on Public Information

A. PURPOSE

1. To set forth a vision for public understanding of, support for, and confidence in Montgomery County Public Schools (MCPS) through effective communication across a variety of media and communication channels appropriate to the purposes, needs, opportunities, and obligations of the school district and the community

2. To establish the Montgomery County Board of Education’s expectations for communicating appropriate information to the public in a timely and complete manner, while striving to confirm the accuracy of such information and to provide clear, concise, and publicly accessible explanatory context where possible

B. POSITION

1. The Board seeks to promote effective communication with members of the Montgomery County community, and encourage respect, trust, confidence, and a unified
understanding of the educational program and operations of MCPS by –

a) providing parents/guardians, students, staff and other community stakeholders with information in a timely and complete manner that allows them to understand, with appropriate explanatory context, the goals, programs, policies of the school district,

b) providing appropriate information for stakeholders to actively engage in decision-making processes and advocate on behalf of students, and their concerns and viewpoints, and

c) enriching the school community through the active involvement of community members, organizations and businesses.

2. The Board provides numerous and varied channels of communication to invite and encourage meaningful two-way communication among a broad spectrum of our diverse community, as set forth in Board Policy ABA, Community Involvement. Collaborative and productive communication among a broad spectrum of our diverse community is integral to the processes of developing and revising Board policies, strategic planning, budget development, and the implementation of school district initiatives.
3. The business of the school district is conducted in compliance with public information and open meetings laws, and MCPS’ obligations as a custodian of public records.

a) The Board is committed to full compliance with the terms, conditions, and expectations of the Public Information Act of Maryland (MPIA) and the Family Educational Rights and Privacy Act (FERPA). MCPS responds to public record requests as custodian of public records in a reasonable and timely manner. As a custodian of such public records, MCPS provides access to all qualifying records, unless the requested records fall within one of the exceptions in the MPIA, FERPA, or other applicable law.

b) To achieve its educational mission, MCPS must build and maintain open and honest lines of communication with students and families. To do that, students and families must trust MCPS to protect the privacy and confidentiality of education records, consistent with applicable law. In addition, MCPS requires its staff, contractors, vendors and partners, as well as external researchers to comply with all applicable laws and regulations regarding data collection, privacy, and security, including
but not limited to the requirements of FERPA, the Children’s Online Privacy Protection Act, the Protection of Pupil Rights Amendment, the Maryland Student Privacy Act of 2015, and the MPIA.

4. MCPS provides effective and timely communications about school district operations, to include, but not limited to emergency information of interest to parents/guardians, students, and staff, and operational information for those engaged, or seeking to engage, as partners, vendors, or providers of programs, goods, and/or services to support MCPS educational programs and operations.

5. MCPS affirms the value students, staff, parents/guardians, and other members of the community place on privacy, and adheres to all legal obligations regarding the protection, and appropriate disclosure, of student and employee information, in accordance with federal and state law.

a) The superintendent of schools shall direct staff to develop privacy protocols to protect student and staff information, and terms of use for MCPS websites.

b) The Board expects all stakeholders who have access to sensitive or confidential information to adhere
to appropriate protocols and access, use, and/or disclose such information only to the degree they are authorized to do so.

c) Staff are appropriately sensitive to the complex privacy implications of student and employee records and sufficiently trained to maintain the confidentiality of student and employee information, as required by law.

6. MCPS utilizes multiple channels of communication to inform the public regarding the mission, goals, programs, achievements, interests and needs of the school district.

a) To promote accessibility of public information to the broadest community possible, MCPS –

(1) adheres to accessibility requirements of the Americans with Disabilities Act, and

(2) provides interpretation and translation services, and affirmatively translates key school district resources into those languages for which translation and interpretation services are most frequently requested by parents/guardians of MCPS students.
b) MCPS shall adopt and utilize emerging communication technologies, as appropriate, and provide guidance to students and staff for their effective, ethical, and responsible use.

c) MCPS maintains websites and online services to inform the community about, and to engage it in, our joint mission to provide a quality education to all students.

(1) MCPS uses its websites and online services to provide the community information about MCPS and to enhance two-way communication between the district and the community.

(2) The Board understands that many of our parents/guardians, students, staff, and other community stakeholders rely on MCPS websites and online services as important resources, so MCPS takes precautions to administer these resources effectively, efficiently, and reliably.

(3) MCPS encourages all stakeholders to engage in responsible use of its websites and services.

7. The Board values the critical role played by responsible media in a democratic society to seek, analyze, and
report information to the public about the educational programs and administration of MCPS. The superintendent of schools shall designate appropriate protocols for prompt, effective, and responsive interactions between MCPS and representatives of the media.

C. DESIRED OUTCOMES

MCPS will develop public understanding of, support for, and confidence in MCPS through effective communication across a variety of media appropriate to the purposes, needs, opportunities, and obligations of MCPS and the community. All appropriate information shall be communicated to the public in a timely and complete manner, while striving to confirm the accuracy of such information and to provide clear, concise, and publicly accessible explanatory context where possible.

D. IMPLEMENTATION STRATEGIES

The superintendent of schools will develop regulations to implement this policy.

E. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board policy review process.
WHEREAS, The Montgomery County Board of Education is elected by the citizens of the county and charged with the responsibility of policy making for the public school system; and

WHEREAS, The Board of Education affirms the need and obligation to keep the citizens of the county informed about plans, progress, and problems of the public schools; and

WHEREAS, The Board of Education is desirous not only of informing, but also of receiving information from the citizens of the county; now therefore be it

Resolved, That the Montgomery County Public Schools shall make available to the public, insofar as it is reasonable and possible, all data about the public schools, excepting only personal information about students or staff members and the events prior to the purchase of real property for school sites; and be it further

Resolved, That the Montgomery County Public Schools shall inform citizens of the policies, actions and decisions of the Board of Education; and be it further

Resolved, That the Montgomery County Public Schools shall inform
the citizens of the county continuously and accurately about the current state of the public schools, including both their strengths and matters needing improvement; and be it further

Resolved, That the Montgomery County Public Schools shall assess periodically the informational level, attitudes, expectations, and needs of Montgomery County citizens with respect to their schools; and be it further

Resolved, That the Montgomery County Public Schools shall encourage the participation of Montgomery County citizens on behalf of their public schools.

Related Sources:  
Education Article, §4-131.

Resolution No. 24-68, January 9, 1968; amended by Resolution No. ___ on ____________.
# Board of Education Policy KBA

<table>
<thead>
<tr>
<th>Comment on revised Board Policy KBA.</th>
<th>I believe that the protocols referred to in this document that are not yet stated should be included in the language of the specific policy. Policy setting without a clear definition of the practice that will follow does not serve the stated intent of open communication with clear and defined purpose.</th>
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<tr>
<td>Name *</td>
<td>Valerie Coll</td>
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| You are? (Check All That Apply)* * | • MCPS Staff member  
• Montgomery County, MD, Community Member |

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